



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS**

*This meeting is hereby noticed pursuant to  
California Government Code Section 54950 et. seq. and  
under the provisions of Assembly Bill 361 and BCVWD Resolution 2022-09*

**Wednesday May 11, 2022 - 6:00 p.m.  
560 Magnolia Avenue, Beaumont, CA 92223**

**COVID-19 NOTICE**

**This meeting of the Board of Directors is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards and the California Department of Public Health Recommendations**

- **Face coverings are recommended for vaccinated and unvaccinated persons and must be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**
- **There will be no access to restrooms in the building**

**TELECONFERENCE NOTICE**

*The BCVWD Board of Directors will attend in person at the BCVWD Administrative Office or via Zoom Video Conference*

*To access the Zoom conference, use the link below:*

<https://us02web.zoom.us/j/84318559070?pwd=SXlzMkZCMGh0YTFIL2tnUGlpU3h0UT09>

*To telephone in, please dial: **(669) 900-9128***

*Enter Meeting ID: **843 1855 9070***

*Enter Passcode: **113552***

*For Public Comment, use the “**Raise Hand**” feature if on the video call when prompted, if dialing in, please **dial \*9 to “Raise Hand”** when prompted*

*Meeting materials are available on the BCVWD’s website:*

<https://bcvwd.org/document-category/regular-board-agendas/>

## BCVWD REGULAR MEETING – MAY 11, 2022

**Call to Order: President Williams**

Roll Call - Board of Directors

**Pledge of Allegiance: President Williams**

	President Lona Williams
	Vice President Andy Ramirez
	Secretary David Hoffman
	Treasurer John Covington
	Member Daniel Slawson

**Invocation: Director Ramirez**

**Teleconference Verification**

**Roll Call**

**Public Comment**

**PUBLIC COMMENT: RAISE HAND OR PRESS \*9 to request to speak when prompted**

At this time, any person may address the Board of Directors on matters within its jurisdiction. However, state law prohibits the Board from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

### **ACTION ITEMS**

*Action may be taken on any item on the agenda. Information on the following items is included in the full Agenda Packet.*

1. **Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
  - a. Item(s) to be removed or continued from the Agenda
  - b. Emergency Item(s) to be added to the Agenda
  - c. Changes to the order of the agenda
  
2. **Consent Calendar:** All matters listed under the Consent Calendar are considered by the Board of Directors to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the Board considers the motion unless members of the Board, the administrative staff, or the public request specific items to be discussed and/or removed from the Consent Calendar.
  - a) Review of the March 2022 Budget Variance Reports (pages 5 - 9)
  - b) Review of the March 31, 2022 Cash/Investment Balance Report (pages 10 - 11)
  - c) Review of Check Register for the Month of April 2022 (pages 12 - 27)
  - d) Review of April 2022 Invoices Pending Approval (pages 28 - 29)
  - e) Minutes of the Special Meeting of March 30, 2022 (pages 30 - 31)
  - f) Minutes of the Special Meeting of April 7, 2022 (pages 32 - 34)
  - g) Minutes of the Regular Meeting of April 13, 2022 (pages 35 - 46)
  - h) Resolution 2022-13 Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same (pages 47 - 49)

- i) Receive and File: Two-year renewal of Lease Agreement with A-1 Properties for Engineering Office located at 851 E. 6th Street, Beaumont (pages 50 – 56)
- j) Final Report: Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as Related to the ongoing COVID-19 Local State of Emergency (pages 57 – 60)

**3. Grant Activity Quarterly Update** (pages 61 - 65)

**4. Resolution 2022-\_\_ : Amending the District’s Policies and Procedures Manual to add Policy 5046: Other Post-Employment Benefits Funding, and**

**Resolution 2022-\_\_ : Electing to Participate in the California Employers’ Retiree Trust Program, Adopting the Agreement to Prefund Other Post-Employment Benefits Through CalPERS, and Execution of Related Documents** (pages 66 - 85)

**5. Consideration of Resolution 2022-\_\_ : Amending the District’s Policies and Procedures Manual** (pages 86 - 143)

**6. Approve Expenditures in an Amount Not to Exceed \$841,225 for Procurement of Materials for Upcoming Water Pipeline Replacement Projects** (pages 144 - 150)

**7. Consideration of Attendance at Upcoming Events and Authorization of Reimbursement and Per Diem** (pages 151 - 154)

**8. Continued Review of California Drought Conditions, District Urban Water Management Plan and Water Shortage Contingency Plan, BCVWD Resolution 2022-12 Implementing Water Use Restrictions, and Other Drought Response** (pages 155 - 159)

**9. Reports For Discussion**

a. Ad Hoc Committees

- i. Communications
- ii. Sites Reservoir
- iii. Water Re-Use 2x2

b. Directors’ Reports

*In compliance with Government Code § 53232.3(d), Water Code § 20201, and BCVWD Policies and Procedures Manual Part II Policies 4060 and 4065 directors claiming a per diem and/or expense reimbursement (regardless of pre-approval status) will provide a brief report following attendance.*

- o ACWA Smart Energy Storage for Water Districts on April 20, 2022 (Ramirez)
- o Riverside County Water Task Force on April 22, 2022 (Ramirez)

c. Directors’ General Comments

d. General Manager’s Report

e. Legal Counsel Report

**10. Action List for Future Meetings**

- Water supply for BCVWD and the region

- Matrix for delivery of recycled water
- Legal Counsel report on changes in Proposition 218
- Legal update on drought conditions in the west
- Maintenance costs at 800-hp well sites

## 11. Announcements

*Pursuant to the provisions of AB 361, BCVWD Board and Committee meetings may be held via teleconference only. Check the meeting agenda for location information.*

- Personnel Committee Meeting: Tuesday, May 17, 2022 at 5:30 p.m.
- San Geronio Pass Regional Water Alliance: Wednesday, May 25, 2022 at 5 p.m.
- Engineering Workshop: Thursday, May 26, 2022 at 6 p.m.
- Beaumont Basin Watermaster Committee: Wednesday, Jun. 1, 2022 at 11 a.m.
- Finance and Audit Committee Meeting: Thursday, June 2, 2022 at 3 p.m.
- Regular Board Meeting: Wednesday, June 8, 2022 at 6 p.m.

## 12. Adjournment

### NOTICES

**AVAILABILITY OF AGENDA MATERIALS** - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available from the District Office in the Board Room of the District's Office. Materials may also be available on the District's website: [www.bcvwd.org](http://www.bcvwd.org).

**REVISIONS TO THE AGENDA** - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Board Meeting.

**REQUIREMENTS RE: DISABLED ACCESS** - In accordance with §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at [info@bcvwd.org](mailto:info@bcvwd.org) or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

### CERTIFICATION OF POSTING

A copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).

General Ledger

Budget Variance Revenue

User: wclayton  
 Printed: 4/28/2022 3:08:19 PM  
 Period 03 - 03  
 Fiscal Year 2022

Beaumont-Cherry Valley Water District

560 Magnolia Avenue  
 Beaumont CA 92223  
 (951) 845-9581  
 www.bcvwd.org



Account Number	Description	Budget	Period Amt	End Bal	Variance	% Avail/ Uncollect
<b>50</b>	<b>GENERAL</b>					
01-50-510-419051	Grant Revenue	\$ 640,000.00	\$ -	\$ -	\$ 640,000.00	100.00%
	<b>Grant Rev</b>	<b>\$ 640,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 640,000.00</b>	<b>100.00%</b>
01-50-510-490001	Interest Income - Bonita Vista	\$ 1,000.00	\$ -	\$ 66.42	\$ 933.58	93.36%
01-50-510-490011	Interest Income - Fairway Cnyn	\$ 281,000.00	\$ -	\$ -	\$ 281,000.00	100.00%
01-50-510-490021	Interest Income - General	\$ 126,000.00	\$ 540.96	\$ 11,658.06	\$ 114,341.94	90.75%
01-50-510-490041	Rlzd Gain/Loss on Investment	\$ -	\$ 47,395.23	\$ 47,395.23	\$ (47,395.23)	#DIV/0!
	<b>Interest Income</b>	<b>\$ 408,000.00</b>	<b>\$ 47,936.19</b>	<b>\$ 59,119.71</b>	<b>\$ 348,880.29</b>	<b>85.51%</b>
01-50-510-481001	Fac Fees-Wells	\$ 1,210,000.00	\$ -	\$ 419,722.94	\$ 790,277.06	65.31%
01-50-510-481006	Fac Fees-Water Rights (SWP)	\$ 766,000.00	\$ -	\$ 189,628.82	\$ 576,371.18	75.24%
01-50-510-481012	Fac Fees-Water Treatment Plant	\$ 576,000.00	\$ -	\$ 199,671.92	\$ 376,328.08	65.33%
01-50-510-481018	Fac Fees-Local Water Resources	\$ 304,000.00	\$ -	\$ 75,077.53	\$ 228,922.47	75.30%
01-50-510-481024	Fac Fees-Recycled Water	\$ 877,000.00	\$ -	\$ 303,952.26	\$ 573,047.74	65.34%
01-50-510-481030	Fac Fees-Transmission (16")	\$ 980,000.00	\$ -	\$ 339,940.89	\$ 640,059.11	65.31%
01-50-510-481036	Fac Fees-Storage	\$ 1,255,000.00	\$ -	\$ 435,332.47	\$ 819,667.53	65.31%
01-50-510-481042	Fac Fees-Booster	\$ 87,000.00	\$ -	\$ 30,135.07	\$ 56,864.93	65.36%
01-50-510-481048	Fac Fees-Pressure Reducing Stn	\$ 45,000.00	\$ -	\$ 15,392.73	\$ 29,607.27	65.79%
01-50-510-481054	Fac Fees-Miscellaneous Project	\$ 39,000.00	\$ -	\$ 13,441.55	\$ 25,558.45	65.53%
01-50-510-481060	Fac Fees-Financing Costs	\$ 191,000.00	\$ -	\$ 66,124.00	\$ 124,876.00	65.38%
01-50-510-485001	Front Footage Fees	\$ 24,000.00	\$ -	\$ -	\$ 24,000.00	100.00%
	<b>Non-Operating Revenue</b>	<b>\$ 6,354,000.00</b>	<b>\$ -</b>	<b>\$ 2,088,420.18</b>	<b>\$ 4,265,579.82</b>	<b>67.13%</b>
01-50-510-410100	Sales	\$ 6,367,000.00	\$ 328,176.00	\$ 878,629.70	\$ 5,488,370.30	86.20%
01-50-510-410151	Agricultural Irrigation Sales	\$ 29,000.00	\$ -	\$ 1,402.20	\$ 27,597.80	95.16%
01-50-510-410171	Construction Sales	\$ 203,000.00	\$ 13,787.55	\$ 22,683.39	\$ 180,316.61	88.83%
01-50-510-413001	Backflow Administration Charge	\$ 51,000.00	\$ 2,264.88	\$ 10,765.85	\$ 40,234.15	78.89%
01-50-510-413011	Fixed Meter Charges	\$ 4,243,000.00	\$ 369,085.09	\$ 1,110,979.26	\$ 3,132,020.74	73.82%
01-50-510-413021	Meter Fees	\$ 300,000.00	\$ 97,380.00	\$ 213,700.00	\$ 86,300.00	28.77%
01-50-510-415001	SGPWA Importation Charges	\$ 4,349,000.00	\$ 237,929.04	\$ 656,209.44	\$ 3,692,790.56	84.91%
01-50-510-415011	SCE Power Charges	\$ 2,467,000.00	\$ 138,815.04	\$ 383,062.44	\$ 2,083,937.56	84.47%
01-50-510-417001	2nd Notice Penalties	\$ 61,000.00	\$ 7,345.00	\$ 13,785.00	\$ 47,215.00	77.40%
01-50-510-417011	3rd Notice Charges	\$ 14,000.00	\$ 3,135.00	\$ 6,910.00	\$ 7,090.00	50.64%
01-50-510-417021	Account Reinstatement Fees	\$ 10,000.00	\$ 10,050.00	\$ 10,050.00	\$ (50.00)	-0.50%
01-50-510-417031	Lien Processing Fees	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00	100.00%
01-50-510-417041	Credit Check Processing Fees	\$ 11,000.00	\$ 1,400.00	\$ 2,840.00	\$ 8,160.00	74.18%
01-50-510-417051	Returned Check Fees	\$ 3,000.00	\$ 600.00	\$ 975.00	\$ 2,025.00	67.50%
01-50-510-417061	Customer Damage/Upgrade Charge	\$ 22,000.00	\$ 4,690.00	\$ 9,824.34	\$ 12,175.66	55.34%
01-50-510-417071	After-Hours Call Out Charges	\$ 1,000.00	\$ 50.00	\$ 50.00	\$ 950.00	95.00%
01-50-510-417091	Credit Card Processing Fees	\$ 51,000.00	\$ 6,056.75	\$ 15,195.25	\$ 35,804.75	70.21%
01-50-510-419001	Rebates and Reimbursements	\$ -	\$ -	\$ -	\$ -	0.00%
01-50-510-419011	Development Income	\$ 226,000.00	\$ -	\$ 42,772.31	\$ 183,227.69	81.07%
01-50-510-419012	Development Income - GIS	\$ 308,000.00	\$ -	\$ -	\$ 308,000.00	100.00%
01-50-510-419031	Well Maintenance Reimbursement	\$ 8,000.00	\$ -	\$ -	\$ 8,000.00	100.00%
01-50-510-419061	Miscellaneous Income	\$ 1,000.00	\$ 12,431.20	\$ 12,431.20	\$ (11,431.20)	-1143.12%
	<b>Operating Revenue</b>	<b>\$ 18,727,000.00</b>	<b>\$ 1,233,195.55</b>	<b>\$ 3,392,265.38</b>	<b>\$ 15,334,734.62</b>	<b>81.89%</b>
01-50-510-471001	Maint Fees - 12303 Oak Glen Rd	\$ 9,000.00	\$ 830.16	\$ 1,860.32	\$ 7,139.68	79.33%
01-50-510-471011	Maint Fees - 13695 Oak Glen Rd	\$ 6,000.00	\$ 521.36	\$ 1,242.72	\$ 4,757.28	79.29%
01-50-510-471021	Maint Fees - 13697 Oak Glen Rd	\$ 7,000.00	\$ 585.52	\$ 1,371.04	\$ 5,628.96	80.41%
01-50-510-471031	Maint Fees - 9781 AveMiravilla	\$ 5,000.00	\$ 481.26	\$ 1,162.52	\$ 3,837.48	76.75%
01-50-510-471101	Utilities - 12303 Oak Glen Rd	\$ 5,000.00	\$ 351.80	\$ 1,031.16	\$ 3,968.84	79.38%
01-50-510-471111	Utilities - 13695 Oak Glen Rd	\$ 4,000.00	\$ 204.01	\$ 1,098.68	\$ 2,901.32	72.53%
01-50-510-471121	Utilities - 13697 Oak Glen Rd	\$ 6,000.00	\$ 169.90	\$ 1,102.53	\$ 4,897.47	81.62%
01-50-510-471131	Utilities - 9781 Ave Miravilla	\$ 4,000.00	\$ 128.31	\$ 725.54	\$ 3,274.46	81.86%
	<b>Rent/Utilities</b>	<b>\$ 46,000.00</b>	<b>\$ 3,272.32</b>	<b>\$ 9,594.51</b>	<b>\$ 36,405.49</b>	<b>79.14%</b>
<b>Revenue Total</b>		<b>\$ 26,175,000.00</b>	<b>\$ 1,284,404.06</b>	<b>\$ 5,549,399.78</b>	<b>\$ 20,625,600.22</b>	<b>78.80%</b>

General Ledger  
Budget Variance Expense

User: wclayton  
Printed: 4/28/2022 3:08:29 PM  
Period 03 - 03  
Fiscal Year 2022

Beaumont-Cherry Valley Water District

560 Magnolia Avenue  
Beaumont CA 92223  
(951) 845-9581  
www.bcwvd.org



Account Number	Description	Budget	Period Amt	End Bal	Variance	Encumbered	% Avail/ Uncollect
<b>10</b>	<b>BOARD OF DIRECTORS</b>						
01-10-110-500101	Board of Directors Fees	\$ 79,000.00	\$ 11,960.00	\$ 22,360.00	\$ 56,640.00	\$ -	71.70%
01-10-110-500115	Social Security	\$ 5,000.00	\$ 741.52	\$ 1,386.32	\$ 3,613.68	\$ -	72.27%
01-10-110-500120	Medicare	\$ 2,000.00	\$ 173.42	\$ 324.22	\$ 1,675.78	\$ -	83.79%
01-10-110-500125	Health Insurance	\$ 76,000.00	\$ 3,899.09	\$ 11,697.27	\$ 64,302.73	\$ -	84.61%
01-10-110-500140	Life Insurance	\$ 1,000.00	\$ 33.95	\$ 47.79	\$ 952.21	\$ -	95.22%
01-10-110-500143	EAP Program	\$ 1,000.00	\$ 7.75	\$ 23.25	\$ 976.75	\$ -	97.68%
01-10-110-500145	Workers' Compensation	\$ 1,000.00	\$ 61.25	\$ 114.61	\$ 885.39	\$ -	88.54%
01-10-110-500175	Training/Education/Mtgs/Travel	\$ 14,000.00	\$ 3,133.85	\$ 5,615.85	\$ 8,384.15	\$ -	59.89%
	<b>Board of Directors Personnel</b>	<b>\$ 179,000.00</b>	<b>\$ 20,010.83</b>	<b>\$ 41,569.31</b>	<b>\$ 137,430.69</b>	<b>\$ -</b>	<b>76.78%</b>
01-10-110-550042	Supplies-Other	\$ 4,000.00	\$ -	\$ 225.75	\$ 3,774.25	\$ -	94.36%
	<b>Board of Directors Materials &amp; Supplies</b>	<b>\$ 4,000.00</b>	<b>\$ -</b>	<b>\$ 225.75</b>	<b>\$ 3,774.25</b>	<b>\$ -</b>	<b>94.36%</b>
01-10-110-550012	Election Expenses	\$ 10,000.00	\$ -	\$ 6.00	\$ 9,994.00	\$ -	99.94%
01-10-110-550051	Advertising/Legal Notices	\$ 4,000.00	\$ 381.15	\$ 1,983.15	\$ 2,016.85	\$ -	50.42%
	<b>Board of Directors Services</b>	<b>\$ 14,000.00</b>	<b>\$ 381.15</b>	<b>\$ 1,989.15</b>	<b>\$ 12,010.85</b>	<b>\$ -</b>	<b>85.79%</b>
<b>Expense Total</b>	<b>BOARD OF DIRECTORS</b>	<b>\$ 197,000.00</b>	<b>\$ 20,391.98</b>	<b>\$ 43,784.21</b>	<b>\$ 153,215.79</b>	<b>\$ -</b>	<b>77.77%</b>
<b>20</b>	<b>ENGINEERING</b>						
01-20-210-500105	Labor	\$ 567,000.00	\$ 52,302.83	\$ 102,958.27	\$ 464,041.73	\$ -	81.84%
01-20-210-500115	Social Security	\$ 40,000.00	\$ 3,293.28	\$ 6,348.33	\$ 33,651.67	\$ -	84.13%
01-20-210-500120	Medicare	\$ 10,000.00	\$ 770.22	\$ 1,484.72	\$ 8,515.28	\$ -	85.15%
01-20-210-500125	Health Insurance	\$ 101,000.00	\$ 5,434.63	\$ 16,303.89	\$ 84,696.11	\$ -	83.86%
01-20-210-500140	Life Insurance	\$ 2,000.00	\$ 52.82	\$ 142.08	\$ 1,857.92	\$ -	92.90%
01-20-210-500143	EAP Program	\$ 1,000.00	\$ 7.75	\$ 23.25	\$ 976.75	\$ -	97.68%
01-20-210-500145	Workers' Compensation	\$ 5,000.00	\$ 330.47	\$ 638.78	\$ 4,361.22	\$ -	87.22%
01-20-210-500150	Unemployment Insurance	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	\$ -	100.00%
01-20-210-500155	Retirement/CalPERS	\$ 90,000.00	\$ 6,509.43	\$ 13,880.23	\$ 76,119.77	\$ -	84.58%
01-20-210-500165	Uniforms & Employee Benefits	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	\$ -	100.00%
01-20-210-500175	Training/Education/Mtgs/Travel	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	\$ -	100.00%
01-20-210-500180	Accrued Sick Leave Expense	\$ 29,000.00	\$ 528.56	\$ 703.85	\$ 28,296.15	\$ -	97.57%
01-20-210-500185	Accrued Vacation Leave Expense	\$ 23,000.00	\$ 265.40	\$ (1,311.08)	\$ 24,311.08	\$ -	105.70%
01-20-210-500187	Accrual Leave Payments	\$ 16,000.00	\$ -	\$ -	\$ 16,000.00	\$ -	100.00%
01-20-210-500195	CIP Related Labor	\$ (225,000.00)	\$ (10,096.73)	\$ (20,657.42)	\$ (204,342.58)	\$ -	90.82%
	<b>Engineering Personnel</b>	<b>\$ 686,000.00</b>	<b>\$ 59,398.66</b>	<b>\$ 120,514.90</b>	<b>\$ 565,485.10</b>	<b>\$ -</b>	<b>82.43%</b>
01-20-210-540048	Permits, Fees & Licensing	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	\$ -	100.00%
	<b>Engineering Materials &amp; Supplies</b>	<b>\$ 3,000.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,000.00</b>	<b>\$ -</b>	<b>100.00%</b>
01-20-210-540014	Development Reimbursable GIS	\$ 75,000.00	\$ -	\$ 12,800.00	\$ 62,200.00	\$ -	82.93%
01-20-210-550030	Membership Dues	\$ 2,000.00	\$ -	\$ 300.00	\$ 1,700.00	\$ -	85.00%
01-20-210-550051	Advertising/Legal Notices	\$ 10,000.00	\$ -	\$ 51.14	\$ 9,948.86	\$ -	99.49%
01-20-210-580031	Outside Engineering	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00	\$ -	100.00%
01-20-210-580032	CIP Related Outside Engineering	\$ (42,000.00)	\$ -	\$ -	\$ (42,000.00)	\$ -	100.00%
	<b>Engineering Services</b>	<b>\$ 105,000.00</b>	<b>\$ -</b>	<b>\$ 13,151.14</b>	<b>\$ 91,848.86</b>	<b>\$ -</b>	<b>87.48%</b>
<b>Expense Total</b>	<b>ENGINEERING</b>	<b>\$ 794,000.00</b>	<b>\$ 59,398.66</b>	<b>\$ 133,666.04</b>	<b>\$ 660,333.96</b>	<b>\$ -</b>	<b>83.17%</b>
<b>30</b>	<b>FINANCE &amp; ADMIN SERVICES</b>						
01-30-310-500105	Labor	\$ 1,225,000.00	\$ 121,753.53	\$ 238,608.20	\$ 986,391.80	\$ -	80.52%
01-30-310-500110	Overtime	\$ 9,000.00	\$ 694.40	\$ 946.15	\$ 8,053.85	\$ -	89.49%
01-30-310-500111	Double Time	\$ 1,000.00	\$ 284.02	\$ 387.30	\$ 612.70	\$ -	61.27%
01-30-310-500115	Social Security	\$ 92,000.00	\$ 7,793.65	\$ 15,458.23	\$ 76,541.77	\$ -	83.20%
01-30-310-500120	Medicare	\$ 22,000.00	\$ 1,822.69	\$ 3,615.21	\$ 18,384.79	\$ -	83.57%
01-30-310-500125	Health Insurance	\$ 348,000.00	\$ 17,926.62	\$ 53,779.86	\$ 294,220.14	\$ -	84.55%
01-30-310-500130	CalPERS Health Admin Costs	\$ 2,000.00	\$ 190.17	\$ 591.99	\$ 1,408.01	\$ -	70.40%
01-30-310-500140	Life Insurance	\$ 4,000.00	\$ 143.74	\$ 381.54	\$ 3,618.46	\$ -	90.46%
01-30-310-500143	EAP Program	\$ 2,000.00	\$ 21.70	\$ 63.55	\$ 1,936.45	\$ -	96.82%
01-30-310-500145	Workers' Compensation	\$ 10,000.00	\$ 671.19	\$ 1,334.14	\$ 8,665.86	\$ -	86.66%
01-30-310-500150	Unemployment Insurance	\$ 42,000.00	\$ -	\$ -	\$ 42,000.00	\$ -	100.00%
01-30-310-500155	Retirement/CalPERS	\$ 244,000.00	\$ 25,120.70	\$ 51,193.67	\$ 192,806.33	\$ -	79.02%
01-30-310-500161	Estimated Current Year OPEB	\$ 213,000.00	\$ -	\$ -	\$ 213,000.00	\$ -	100.00%
01-30-310-500165	Uniforms & Employee Benefits	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	\$ -	100.00%
01-30-310-500175	Training/Education/Mtgs/Travel	\$ 31,000.00	\$ 457.07	\$ 10,164.63	\$ 20,835.37	\$ -	67.21%
01-30-310-500180	Accrued Sick Leave Expense	\$ 63,000.00	\$ 999.89	\$ 7,039.39	\$ 55,960.61	\$ -	88.83%
01-30-310-500185	Accrued Vacation Leave Expense	\$ 89,000.00	\$ 1,599.20	\$ 1,599.20	\$ 87,400.80	\$ -	98.20%
01-30-310-500187	Accrual Leave Payments	\$ 93,000.00	\$ 3,130.80	\$ 6,261.60	\$ 86,738.40	\$ -	93.27%
01-30-310-500195	CIP Related Labor	\$ (16,000.00)	\$ -	\$ -	\$ (16,000.00)	\$ -	100.00%
01-30-310-560000	GASB 68 Pension Expense	\$ 283,000.00	\$ -	\$ -	\$ 283,000.00	\$ -	100.00%
01-30-320-500105	Labor	\$ 69,400.00	\$ 7,230.26	\$ 13,866.12	\$ 55,533.88	\$ -	80.02%
01-30-320-500110	Overtime	\$ 3,000.00	\$ 591.74	\$ 889.91	\$ 2,110.09	\$ -	70.34%
01-30-320-500111	Double Time	\$ 1,600.00	\$ 346.32	\$ 407.48	\$ 1,192.52	\$ -	74.53%
01-30-320-500115	Social Security	\$ 6,000.00	\$ 506.54	\$ 983.95	\$ 5,016.05	\$ -	83.60%
01-30-320-500120	Medicare	\$ 2,000.00	\$ 118.47	\$ 230.13	\$ 1,769.87	\$ -	88.49%
01-30-320-500125	Health Insurance	\$ 26,000.00	\$ 1,352.96	\$ 4,058.88	\$ 21,941.12	\$ -	84.39%
01-30-320-500140	Life Insurance	\$ 1,000.00	\$ 8.70	\$ 24.54	\$ 975.46	\$ -	97.55%

Account Number	Description	Budget	Period Amt	End Bal	Variance	Encumbered	% Avail/ Uncollect
01-30-320-500143	EAP Program	\$ 1,000.00	\$ 1.55	\$ 4.65	\$ 995.35	\$ -	99.54%
01-30-320-500145	Workers' Compensation	\$ 1,000.00	\$ 40.02	\$ 78.85	\$ 921.15	\$ -	92.12%
01-30-320-500150	Unemployment Insurance	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	\$ -	100.00%
01-30-320-500155	Retirement/CalPERS	\$ 8,000.00	\$ 758.29	\$ 1,698.76	\$ 6,301.24	\$ -	78.77%
01-30-320-500165	Uniforms & Employee Benefits	\$ 200.00	\$ -	\$ -	\$ 200.00	\$ -	100.00%
01-30-320-500175	Training/Education/Mtgs/Travel	\$ 13,000.00	\$ 4,545.41	\$ 5,930.04	\$ 7,069.96	\$ -	54.38%
01-30-320-500176	Professional Development	\$ 41,000.00	\$ -	\$ -	\$ 41,000.00	\$ -	100.00%
01-30-320-500177	General Safety Trng & Supplies	\$ 31,000.00	\$ 6,178.62	\$ 7,178.62	\$ 23,821.38	\$ -	76.84%
01-30-320-500180	Accrued Sick Leave Expense	\$ 4,000.00	\$ -	\$ 703.34	\$ 3,296.66	\$ -	82.42%
01-30-320-500185	Accrued Vacation Leave Expense	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00	\$ -	100.00%
01-30-320-500187	Accrual Leave Payments	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00	\$ -	100.00%
01-30-320-550024	Employment Testing	\$ 5,000.00	\$ 31.60	\$ 83.20	\$ 4,916.80	\$ -	98.34%
	<b>Finance &amp; Admin Services Personnel</b>	<b>\$ 2,980,200.00</b>	<b>\$ 204,319.85</b>	<b>\$ 427,563.13</b>	<b>\$ 2,552,636.87</b>	<b>\$ -</b>	<b>85.65%</b>
01-30-310-550006	Cashiering Shortages/Overages	\$ 100.00	\$ (0.22)	\$ (0.21)	\$ 100.21	\$ -	100.21%
01-30-310-550042	Office Supplies	\$ 10,000.00	\$ 888.19	\$ 2,085.92	\$ 7,914.08	\$ -	79.14%
01-30-310-550046	Office Equipment	\$ 5,000.00	\$ -	\$ 417.35	\$ 4,582.65	\$ -	91.65%
01-30-310-550048	Postage	\$ 40,000.00	\$ 15.36	\$ 472.68	\$ 39,527.32	\$ -	98.82%
01-30-310-550072	Miscellaneous Operating Exp	\$ 1,000.00	\$ 35.80	\$ 35.80	\$ 964.20	\$ -	96.42%
01-30-310-550078	Bad Debt Expense	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	\$ -	100.00%
01-30-310-550084	Depreciation	\$ 3,000,000.00	\$ 544,040.25	\$ 774,611.41	\$ 2,225,388.59	\$ -	74.18%
01-30-320-550028	District Certification	\$ 4,000.00	\$ 2,195.00	\$ 2,195.00	\$ 1,805.00	\$ -	45.13%
01-30-320-550042	Office Supplies	\$ 3,000.00	\$ 19.99	\$ 152.51	\$ 2,847.49	\$ -	94.92%
	<b>Finance &amp; Admin Services Materials &amp; Supplies</b>	<b>\$ 3,088,100.00</b>	<b>\$ 547,194.37</b>	<b>\$ 779,970.46</b>	<b>\$ 2,308,129.54</b>	<b>\$ -</b>	<b>74.74%</b>
01-30-310-500190	Temporary Labor	\$ 45,000.00	\$ -	\$ 688.20	\$ 44,311.80	\$ -	98.47%
01-30-310-550001	Bank/Financial Service Fees	\$ 17,000.00	\$ (56.08)	\$ 399.83	\$ 16,600.17	\$ -	97.65%
01-30-310-550008	Transaction/Return Fees	\$ 3,000.00	\$ 81.08	\$ 382.36	\$ 2,617.64	\$ -	87.25%
01-30-310-550010	Transaction/Credit Card Fees	\$ 80,000.00	\$ 7,870.40	\$ 20,922.71	\$ 59,077.29	\$ -	73.85%
01-30-310-550014	Credit Check Fees	\$ 7,000.00	\$ 799.50	\$ 1,626.30	\$ 5,373.70	\$ -	76.77%
01-30-310-550030	Membership Dues	\$ 40,000.00	\$ -	\$ 15,053.97	\$ 24,946.03	\$ -	62.37%
01-30-310-550036	Notary and Lien Fees	\$ 3,000.00	\$ -	\$ 75.00	\$ 2,925.00	\$ -	97.50%
01-30-310-550050	Utility Billing Service	\$ 81,000.00	\$ 9,846.16	\$ 20,802.60	\$ 60,197.40	\$ -	74.32%
01-30-310-550051	Advertising/Legal Notices	\$ 1,000.00	\$ 624.65	\$ 1,108.65	\$ (108.65)	\$ -	-10.87%
01-30-310-550054	Property, Auto, General Ins	\$ 120,000.00	\$ 10,201.10	\$ 30,603.30	\$ 89,396.70	\$ -	74.50%
01-30-310-580001	Accounting and Audit	\$ 37,000.00	\$ 660.00	\$ 2,900.00	\$ 34,100.00	\$ -	92.16%
01-30-310-580011	General Legal	\$ 112,000.00	\$ 3,937.50	\$ 7,914.94	\$ 104,085.06	\$ -	92.93%
01-30-310-580036	Other Professional Services	\$ 324,500.00	\$ 5,912.50	\$ 11,512.50	\$ 312,987.50	\$ -	96.45%
01-30-320-550025	Employee Retention	\$ 5,000.00	\$ 270.44	\$ 270.44	\$ 4,729.56	\$ -	94.59%
01-30-320-550026	Recruitment Expense	\$ 13,000.00	\$ -	\$ 445.00	\$ 12,555.00	\$ -	96.58%
01-30-320-550030	Membership Dues	\$ 3,000.00	\$ -	\$ 1,214.00	\$ 1,786.00	\$ -	59.53%
01-30-320-550051	Advertising/Legal Notices	\$ 4,000.00	\$ -	\$ 103.25	\$ 3,896.75	\$ -	97.42%
01-30-320-580036	Other Professional Services	\$ 63,500.00	\$ -	\$ 10,515.00	\$ 52,985.00	\$ -	83.44%
	<b>Finance &amp; Admin Services Services</b>	<b>\$ 959,000.00</b>	<b>\$ 40,147.25</b>	<b>\$ 126,538.05</b>	<b>\$ 832,461.95</b>	<b>\$ -</b>	<b>86.81%</b>
<b>Expense Total</b>	<b>FINANCE &amp; ADMIN SERVICES</b>	<b>\$ 7,027,300.00</b>	<b>\$ 791,661.47</b>	<b>\$ 1,334,071.64</b>	<b>\$ 5,693,228.36</b>	<b>\$ -</b>	<b>81.02%</b>
<b>35</b>	<b>INFORMATION TECHNOLOGY</b>						
01-35-315-500105	Labor	\$ 152,000.00	\$ 17,272.80	\$ 34,545.60	\$ 117,454.40	\$ -	77.27%
01-35-315-500115	Social Security	\$ 12,000.00	\$ 1,071.78	\$ 2,143.56	\$ 9,856.44	\$ -	82.14%
01-35-315-500120	Medicare	\$ 3,000.00	\$ 250.65	\$ 501.30	\$ 2,498.70	\$ -	83.29%
01-35-315-500125	Health Insurance	\$ 26,000.00	\$ 2,027.66	\$ 6,082.98	\$ 19,917.02	\$ -	76.60%
01-35-315-500140	Life Insurance	\$ 1,000.00	\$ 21.18	\$ 56.64	\$ 943.36	\$ -	94.34%
01-35-315-500143	EAP Program	\$ 1,000.00	\$ 1.55	\$ 4.65	\$ 995.35	\$ -	99.54%
01-35-315-500145	Workers' Compensation	\$ 2,000.00	\$ 88.62	\$ 177.24	\$ 1,822.76	\$ -	91.14%
01-35-315-500150	Unemployment Insurance	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	\$ -	100.00%
01-35-315-500155	Retirement/CalPERS	\$ 18,000.00	\$ 1,875.36	\$ 4,228.71	\$ 13,771.29	\$ -	76.51%
01-35-315-500175	Training/Education/Mtgs/Travel	\$ 5,000.00	\$ 4,597.10	\$ 4,597.10	\$ 402.90	\$ -	8.06%
01-35-315-500180	Accrued Sick Leave Expense	\$ 9,000.00	\$ -	\$ -	\$ 9,000.00	\$ -	100.00%
01-35-315-500185	Accrued Vacation Leave Expense	\$ 16,000.00	\$ -	\$ -	\$ 16,000.00	\$ -	100.00%
01-35-315-500187	Accrual Leave Payments	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	\$ -	100.00%
01-35-315-500195	CIP Related Labor	\$ (33,000.00)	\$ -	\$ -	\$ (33,000.00)	\$ -	100.00%
	<b>Information Technology Personnel</b>	<b>\$ 233,000.00</b>	<b>\$ 27,206.70</b>	<b>\$ 52,337.78</b>	<b>\$ 180,662.22</b>	<b>\$ -</b>	<b>77.54%</b>
01-35-315-550044	Printing/Toner and Maintenance	\$ 28,000.00	\$ 1,599.42	\$ 3,744.56	\$ 24,255.44	\$ -	86.63%
01-35-315-580016	Computer Hardware	\$ 30,000.00	\$ 2,449.46	\$ 5,381.09	\$ 24,618.91	\$ -	82.06%
01-35-315-580028	Cybersecurity Soft & Hardware	\$ 50,000.00	\$ 45,835.73	\$ 45,835.73	\$ 4,164.27	\$ (2,631.05)	13.59%
	<b>Information Technology Materials &amp; Supplies</b>	<b>\$ 108,000.00</b>	<b>\$ 49,884.61</b>	<b>\$ 54,961.38</b>	<b>\$ 53,038.62</b>	<b>\$ (2,631.05)</b>	<b>51.55%</b>
01-35-315-501511	Telephone/Internet Service	\$ 45,000.00	\$ 3,362.36	\$ 11,296.36	\$ 33,703.64	\$ -	74.90%
01-35-315-501521	Building Alarms and Security	\$ 10,000.00	\$ 624.32	\$ 2,497.28	\$ 7,502.72	\$ -	75.03%
01-35-315-540014	GIS Maintenance and Updates	\$ 10,000.00	\$ 2,400.00	\$ 2,400.00	\$ 7,600.00	\$ -	76.00%
01-35-315-550030	Membership Dues	\$ 3,000.00	\$ 125.00	\$ 604.88	\$ 2,395.12	\$ -	79.84%
01-35-315-580021	IT/Software Support	\$ 8,000.00	\$ -	\$ -	\$ 8,000.00	\$ -	100.00%
01-35-315-580026	License/Maintenance/Support	\$ 220,000.00	\$ 14,365.38	\$ 68,121.40	\$ 151,878.60	\$ -	69.04%
	<b>Information Technology Services</b>	<b>\$ 296,000.00</b>	<b>\$ 20,877.06</b>	<b>\$ 84,919.92</b>	<b>\$ 211,080.08</b>	<b>\$ -</b>	<b>71.31%</b>
<b>Expense Total</b>	<b>INFORMATION TECHNOLOGY</b>	<b>\$ 637,000.00</b>	<b>\$ 97,968.37</b>	<b>\$ 192,219.08</b>	<b>\$ 444,780.92</b>	<b>\$ (2,631.05)</b>	<b>70.24%</b>
<b>40</b>	<b>OPERATIONS</b>						
<b>410</b>	<b>Source of Supply Personnel</b>						
01-40-410-500105	Labor	\$ 451,000.00	\$ 29,906.58	\$ 57,462.26	\$ 393,537.74	\$ -	87.26%
01-40-410-500110	Overtime	\$ 15,000.00	\$ 844.94	\$ 1,304.17	\$ 13,695.83	\$ -	91.31%
01-40-410-500111	Double Time	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	\$ -	100.00%





Account Number	Description	Budget	Period Amt	End Bal	Variance	Encumbered	% Avail/ Uncollect
01-40-410-510011	Treatment & Chemicals	\$ 150,000.00	\$ 17,747.00	\$ 34,955.20	\$ 115,044.80	\$ -	76.70%
01-40-410-510021	Lab Testing	\$ 90,000.00	\$ 11,613.19	\$ 24,650.94	\$ 65,349.06	\$ -	72.61%
01-40-410-510031	Tools, Parts, & Maintenance	\$ 8,000.00	\$ 572.30	\$ 1,444.21	\$ 6,555.79	\$ -	81.95%
01-40-410-520021	Maint & Repair-Telemetry	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	\$ -	100.00%
01-40-410-520061	Maint & Repair-Pumping Equip	\$ 357,400.00	\$ 4,517.43	\$ 18,112.35	\$ 339,287.65	\$ 1,845.05	94.42%
01-40-410-550066	Subscriptions	\$ 3,000.00	\$ -	\$ 1,128.75	\$ 1,871.25	\$ -	62.38%
<b>440</b>	<b>Transmission &amp; Distribution Materials &amp; Supplies</b>						
01-40-440-510031	Tools, Parts, & Maintenance	\$ 14,000.00	\$ 4,489.16	\$ 7,336.45	\$ 6,663.55	\$ 6,145.76	3.70%
01-40-440-520071	Maint & Repair-Pipeline/FireHyd	\$ 73,000.00	\$ 1,321.56	\$ 4,163.64	\$ 68,836.36	\$ -	94.30%
01-40-440-520081	Maint & Repair-Hydraulic Valve	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	\$ -	100.00%
01-40-440-540001	Backflow Maintenance	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	\$ -	100.00%
01-40-440-540024	Inventory Adjustments	\$ 26,000.00	\$ -	\$ 17,979.87	\$ 8,020.13	\$ -	30.85%
01-40-440-540036	Line Locates	\$ 4,000.00	\$ 270.70	\$ 610.70	\$ 3,389.30	\$ -	84.73%
01-40-440-540042	Meters Maintenance & Services	\$ 90,000.00	\$ 770.87	\$ 3,756.11	\$ 86,243.89	\$ 931.70	94.79%
01-40-440-540078	Reservoir Maintenance	\$ 87,500.00	\$ 361.12	\$ 20,835.60	\$ 66,664.40	\$ -	76.19%
<b>470</b>	<b>Maintenance &amp; General Plant Materials &amp; Supplies</b>						
01-40-470-501111	Electricity -560 Magnolia Ave	\$ 37,000.00	\$ 1,715.53	\$ 5,030.52	\$ 31,969.48	\$ -	86.40%
01-40-470-501121	Electricity -12303 Oak Glen Rd	\$ 5,000.00	\$ 351.80	\$ 1,031.16	\$ 3,968.84	\$ -	79.38%
01-40-470-501131	Electricity -13695 Oak Glen Rd	\$ 3,000.00	\$ 204.01	\$ 608.13	\$ 2,391.87	\$ -	79.73%
01-40-470-501141	Electricity -13697 Oak Glen Rd	\$ 3,000.00	\$ 169.90	\$ 532.23	\$ 2,467.77	\$ -	82.26%
01-40-470-501151	Electricity -9781 AveMiravilla	\$ 2,000.00	\$ 128.31	\$ 350.13	\$ 1,649.87	\$ -	82.49%
01-40-470-501161	Electricity -815 E 12th St	\$ 8,000.00	\$ 519.75	\$ 1,489.98	\$ 6,510.02	\$ -	81.38%
01-40-470-501171	Electricity -851 E 6th St	\$ 5,000.00	\$ 179.41	\$ 543.28	\$ 4,456.72	\$ -	89.13%
01-40-470-501321	Propane -12303 Oak Glen Rd	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	\$ -	100.00%
01-40-470-501331	Propane -13695 Oak Glen Rd	\$ 3,000.00	\$ -	\$ 490.55	\$ 2,509.45	\$ -	83.65%
01-40-470-501341	Propane -13697 Oak Glen Rd	\$ 3,000.00	\$ -	\$ 570.30	\$ 2,429.70	\$ -	80.99%
01-40-470-501351	Propane -9781 AveMiravilla	\$ 2,000.00	\$ -	\$ 375.41	\$ 1,624.59	\$ -	81.23%
01-40-470-501411	Sanitation -560 Magnolia Ave	\$ 4,000.00	\$ 216.09	\$ 997.65	\$ 3,002.35	\$ -	75.06%
01-40-470-501461	Sanitation -815 E 12th Ave	\$ 6,000.00	\$ 474.29	\$ 1,405.29	\$ 4,594.71	\$ -	76.58%
01-40-470-501471	Sanitation -11083 Cherry Ave	\$ 4,000.00	\$ 285.83	\$ 857.49	\$ 3,142.51	\$ -	78.56%
01-40-470-501611	Maint & Repair-560 Magnolia	\$ 27,000.00	\$ 3,237.09	\$ 7,922.53	\$ 19,077.47	\$ -	70.66%
01-40-470-501621	Maint & Repair-12303 Oak Glen	\$ 12,000.00	\$ 30,007.80	\$ 30,476.08	\$ (18,476.08)	\$ -	-153.97%
01-40-470-501631	Maint & Repair-13695 Oak Glen	\$ 12,000.00	\$ 29,955.00	\$ 30,093.99	\$ (18,093.99)	\$ -	-150.78%
01-40-470-501641	Maint & Repair-13697 Oak Glen	\$ 9,000.00	\$ -	\$ -	\$ 9,000.00	\$ -	100.00%
01-40-470-501651	Maint & Repair-9781 Avenida	\$ 9,000.00	\$ 292.33	\$ 292.33	\$ 8,707.67	\$ -	96.75%
01-40-470-501661	Maint & Repair-815 E 12th St	\$ 14,000.00	\$ 1,188.29	\$ 3,127.17	\$ 10,872.83	\$ -	77.66%
01-40-470-501671	Maint & Repair-851 E 6th St	\$ 3,000.00	\$ 219.45	\$ 755.29	\$ 2,244.71	\$ -	74.82%
01-40-470-501691	Maint & Repair-Buildings(Gen)	\$ 60,000.00	\$ 3,539.60	\$ 6,354.09	\$ 53,645.91	\$ -	89.41%
01-40-470-510001	Auto/Fuel	\$ 100,000.00	\$ 10,805.54	\$ 25,710.85	\$ 74,289.15	\$ -	74.29%
01-40-470-520011	Maint & Repair-Safety Equip	\$ 18,000.00	\$ 17.02	\$ 841.78	\$ 17,158.22	\$ -	95.32%
01-40-470-520031	Maint & Repair-General Equip	\$ 50,000.00	\$ 564.04	\$ 1,433.07	\$ 48,566.93	\$ -	97.13%
01-40-470-520041	Maintenance & Repair-Fleet	\$ 126,000.00	\$ 2,930.33	\$ 21,979.86	\$ 104,020.14	\$ -	82.56%
01-40-470-520051	Maintenance & Repair-Paving	\$ 83,000.00	\$ 10,139.25	\$ 11,855.25	\$ 71,144.75	\$ -	85.72%
01-40-470-520053	Maint & Repair-Paving-Beaumont	\$ 379,000.00	\$ 33,930.25	\$ 105,308.75	\$ 273,691.25	\$ -	72.21%
01-40-470-520091	Maint & Repair-Communication	\$ 7,000.00	\$ -	\$ -	\$ 7,000.00	\$ -	100.00%
	<b>Operations Materials &amp; Supplies</b>	<b>\$ 4,400,900.00</b>	<b>\$ 336,660.25</b>	<b>\$ 811,892.09</b>	<b>\$ 3,589,007.91</b>	<b>\$ 8,922.51</b>	<b>81.35%</b>
<b>410</b>	<b>Source of Supply Services</b>						
01-40-410-500501	State Project Water Purchases	\$ 4,349,000.00	\$ 152,418.00	\$ 152,418.00	\$ 4,196,582.00	\$ -	96.50%
01-40-410-540084	Regulations Mandates & Tariffs	\$ 97,000.00	\$ 5,364.76	\$ 27,371.10	\$ 69,628.90	\$ -	71.78%
<b>440</b>	<b>Transmission &amp; Distribution Services</b>						
01-40-440-500190	Temporary Labor	\$ 166,000.00	\$ -	\$ -	\$ 166,000.00	\$ -	100.00%
01-40-440-550051	Advertising/Legal Notices	\$ 4,000.00	\$ -	\$ 1,100.00	\$ 2,900.00	\$ -	72.50%
<b>470</b>	<b>Maintenance &amp; General Plant Services</b>						
01-40-470-540030	Landscape Maintenance	\$ 82,000.00	\$ 5,209.22	\$ 16,133.58	\$ 65,866.42	\$ -	80.32%
01-40-470-540072	NCRF, Canyons, & Pond Maint	\$ 200,000.00	\$ 3,000.34	\$ 6,210.44	\$ 193,789.56	\$ 2,089.75	95.85%
01-40-470-540084	Encroachment Permits	\$ 36,000.00	\$ 2,395.39	\$ 10,231.29	\$ 25,768.71	\$ -	71.58%
	<b>Operations Services</b>	<b>\$ 4,934,000.00</b>	<b>\$ 168,387.71</b>	<b>\$ 213,464.41</b>	<b>\$ 4,720,535.59</b>	<b>\$ 2,089.75</b>	<b>95.63%</b>
<b>Expense Total</b>	<b>OPERATIONS</b>	<b>\$ 12,880,400.00</b>	<b>\$ 780,312.60</b>	<b>\$ 1,585,304.93</b>	<b>\$ 11,295,095.07</b>	<b>\$ 11,012.26</b>	<b>87.61%</b>
<b>50</b>	<b>GENERAL</b>						
01-50-510-502001	Rents/Leases	\$ 27,000.00	\$ 2,131.64	\$ 6,394.92	\$ 20,605.08	\$ -	76.32%
01-50-510-510031	Tools, Parts, & Maintenance	\$ 1,000.00	\$ -	\$ 781.08	\$ 218.92	\$ -	21.89%
01-50-510-540066	Property Damage and Theft	\$ 27,000.00	\$ 753.17	\$ 774.70	\$ 26,225.30	\$ -	97.13%
01-50-510-550040	General Supplies	\$ 17,000.00	\$ 2,360.19	\$ 8,946.98	\$ 8,053.02	\$ 1,834.28	36.58%
01-50-510-550060	Public Ed/Community Outreach	\$ 100,000.00	\$ 7,303.72	\$ 38,780.00	\$ 61,220.00	\$ -	61.22%
01-50-510-550072	Miscellaneous Operating Exp	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	\$ -	100.00%
01-50-510-550074	Disaster Preparedness Expenses	\$ 15,000.00	\$ 1,487.35	\$ 13,127.56	\$ 1,872.44	\$ -	12.48%
	<b>General Materials &amp; Supplies</b>	<b>\$ 188,000.00</b>	<b>\$ 14,036.07</b>	<b>\$ 68,805.24</b>	<b>\$ 119,194.76</b>	<b>\$ 1,834.28</b>	<b>62.43%</b>
01-50-510-550096	Beaumont Basin Watermaster	\$ 50,000.00	\$ 4,285.84	\$ 12,857.51	\$ 37,142.49	\$ -	74.28%
01-50-510-550097	SAWPA Basin Monitoring Program	\$ 19,000.00	\$ 1,940.25	\$ 5,820.75	\$ 13,179.25	\$ -	69.36%
	<b>General Services</b>	<b>\$ 69,000.00</b>	<b>\$ 6,226.09</b>	<b>\$ 18,678.26</b>	<b>\$ 50,321.74</b>	<b>\$ -</b>	<b>72.93%</b>
<b>Expense Total</b>	<b>GENERAL</b>	<b>\$ 257,000.00</b>	<b>\$ 20,262.16</b>	<b>\$ 87,483.50</b>	<b>\$ 169,516.50</b>	<b>\$ 1,834.28</b>	<b>65.25%</b>
<b>Expense Total</b>	<b>ALL EXPENSES</b>	<b>\$ 21,792,700.00</b>	<b>\$ 1,769,995.24</b>	<b>\$ 3,376,529.40</b>	<b>\$ 18,416,170.60</b>	<b>\$ 10,215.49</b>	<b>84.46%</b>



**Beaumont-Cherry Valley Water District  
Cash Balance & Investment Report  
As of March 31, 2022**

Account Name	Account Ending #	Cash Balance Per Account	
		Balance	Prior Month Balance
Wells Fargo	General 4152	\$8,764,560.65	\$8,704,351.95
	<b>Total Cash</b>	<b>\$ 8,764,560.65</b>	<b>\$ 8,704,351.95</b>

Account Name	Market Value	Prior Month Balance	Actual % of Total	Policy % Limit	Maturity	Par Amount	Rate	2022 Interest
								to Date
Ca. State Treasurer's Office: Local Agency Investment Fund	\$56,325,773.18	\$31,828,773.18	82%	No Limit	Liquid	N/A	0.42%	\$18,313.11 <sup>(1)</sup>
CalTRUST Short Term Fund	\$0.00	\$36,781,741.87	0%	No Limit	Liquid	N/A	0.41%	\$13,546.98 <sup>(2)</sup>
Chandler Investment Services	\$12,248,922.00	\$0.00	18%	No Limit	Liquid	N/A	0.16%	\$540.96 <sup>(3)</sup>
<b>Total Investments</b>	<b>\$68,574,695.18</b>	<b>\$68,610,515.05</b>						<b>\$32,401.05</b>
<b>Total Cash &amp; Investments</b>	<b>\$ 77,339,255.83</b>	<b>\$ 77,314,867.00</b>						

The investments above have been reviewed by the Director of Finance and Administrative Services. William C. Olyett for Kirene Manini, Ph D

The investments above are in accordance with the District's investment policy. [Signature] 4/20/2022

BCVWD will be able to meet its cash flow obligations for the next 6 months. [Signature] 4/20/2022

(1) 4th Quarter 2021 Interest received in 2022  
 (2) Redemption of full investment March 2022  
 (3) Transitioning report changes to accommodate new investment type, will be revised 2nd qtr 2022



**PORTFOLIO CHARACTERISTICS**

Average Modified Duration	0.10
Average Coupon	0.15%
Average Purchase YTM	0.16%
Average Market YTM	0.16%
Average S&P/Moody Rating	AA+/Aaa
Average Final Maturity	0.10 yrs
Average Life	0.09 yrs

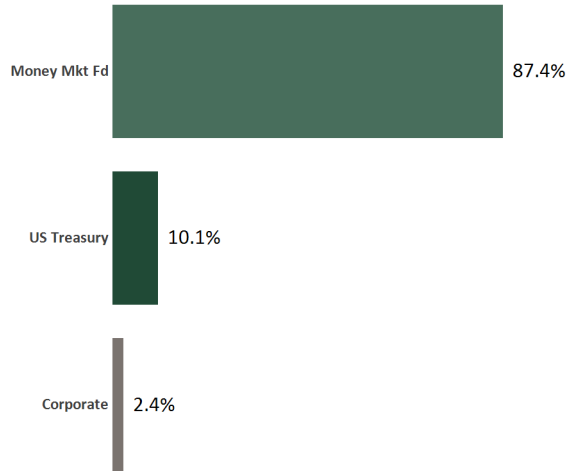
**ACCOUNT SUMMARY**

	Beg. Values as of 2/28/22	End Values as of 3/31/22
Market Value		12,245,171
Accrued Interest	0	3,751
<b>Total Market Value</b>		<b>12,248,922</b>
Income Earned		36
Cont/WD		12,247,381
Par		12,258,357
Book Value		12,244,666
Cost Value		12,244,648

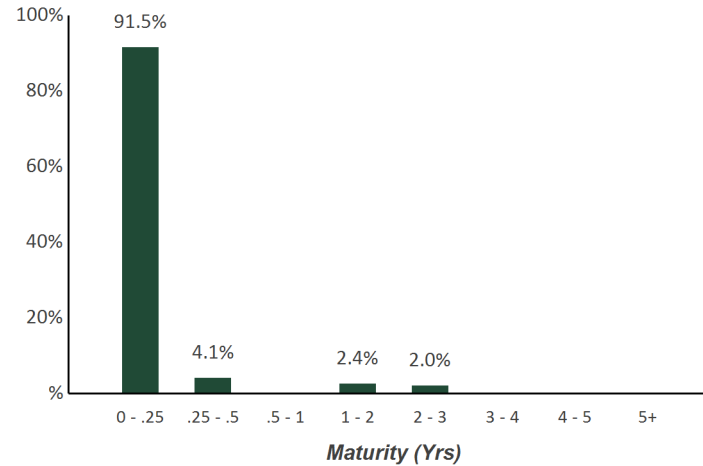
**TOP ISSUERS**

First American Treasury MMF Cla	87.4%
Government of United States	10.1%
Honda Motor Corporation	1.3%
Deere & Company	1.2%
<b>Total</b>	<b>100.0%</b>

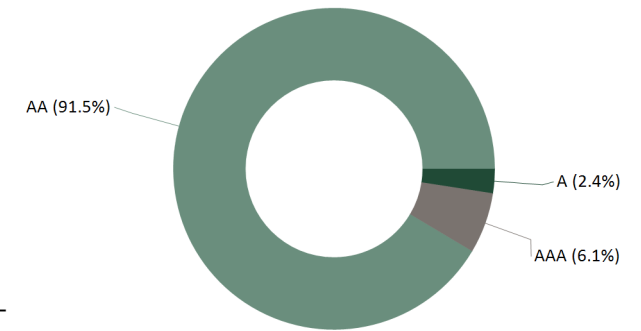
**SECTOR ALLOCATION**



**MATURITY DISTRIBUTION**



**CREDIT QUALITY (S&P)**



# Accounts Payable

## Checks by Date - Detail by Check Date

User: wclayton  
 Printed: 4/27/2022 10:57 AM

### Beaumont-Cherry Valley Water District

560 Magnolia Avenue  
 Beaumont CA 92223  
 (951) 845-9581  
 www.bcvwd.org



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
ACH	10138 HW201 Apr 2022	ARCO Business Solutions ARCO Fuel Charges 03/29-04/04/2022	04/07/2022		1,996.24
Total for this ACH Check for Vendor 10138:				0.00	1,996.24
ACH	10288 137780508 137780508 137786645 137786645 137786645 137786645	CalPERS Health Fiscal Services Division Active Non CalPers Member Health Ins April 2022 Admin Fee Non CalPers Member Health Ins April 2022 Active Employees Health Ins Apr 2022 Admin Fee for Retired Emp Health Ins April 2022 Retired Employees Health Ins April 2022 Admin Fee for Health Ins April 2022	04/07/2022		1,871.43 4.68 62,105.18 13.67 2,370.00 155.26
Total for this ACH Check for Vendor 10288:				0.00	66,520.22
ACH	10901 04012022 Dental 04012022 Vision	Ameritas Life Insurance Corp. Ameritas Dental April 2022 Ameritas Vision April 2022	04/07/2022		2,157.52 486.04
Total for this ACH Check for Vendor 10901:				0.00	2,643.56
ACH	10903 4386921747	The Lincoln National Life Insurance Company Life & ADD EE/ER Insurance April 2022	04/07/2022		636.49
Total for this ACH Check for Vendor 10903:				0.00	636.49
12455	11049 03112022	Phillip Balangue Unclaimed Funds Refund	04/07/2022		2.00
Total for Check Number 12455:				0.00	2.00
12456	UB*04796	Matthew Brown Refund Check	04/07/2022		8.43
Total for Check Number 12456:				0.00	8.43
12457	UB*04793	Alexis Calderon Refund Check Refund Check Refund Check Refund Check Refund Check	04/07/2022		1.14 0.99 3.08 1.69
Total for Check Number 12457:				0.00	7.69
12458	UB*04794	Charletta Castleberry Refund Check Refund Check Refund Check Refund Check Refund Check	04/07/2022		164.73 141.20 242.05 350.61 101.41
Total for Check Number 12458:				0.00	1,000.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12459	UB*04792	Doug Dawson and/or Ortiz Enterprises Inc Refund Check Refund Check Refund Check Refund Check	04/07/2022		48.79 1,629.40 15.18 26.02
Total for Check Number 12459:				0.00	1,719.39
12460	UB*04797	Alysia Schauf Refund Check Refund Check Refund Check Refund Check Refund Check	04/07/2022		39.40 9.12 45.83 26.74 83.86
Total for Check Number 12460:				0.00	204.95
12461	UB*04795	Spruce Title Company Refund Check	04/07/2022		6.98
Total for Check Number 12461:				0.00	6.98
12462	UB*04798	Gerald Stickler Refund Check	04/07/2022		53.96
Total for Check Number 12462:				0.00	53.96
12463	UB*04799	Lyle Ungerecht Refund Check Refund Check Refund Check Refund Check Refund Check	04/07/2022		388.45 83.58 202.68 68.45 15.87 4.68
Total for Check Number 12463:				0.00	763.71
12464	UB*04791	Herman Weissker Refund Check	04/07/2022		133.66
Total for Check Number 12464:				0.00	133.66
12465	10970 2022-11	AB Fence Company Solar Panel - Middle Canyon Gate	04/07/2022		800.00
Total for Check Number 12465:				0.00	800.00
12466	11045 64779A 64779A	AceTek Roofing Co. Roof Repair - 12303 Oak Glen Rd Roof Repair - 13695 Oak Glen Rd	04/07/2022		29,955.00 29,955.00
Total for Check Number 12466:				0.00	59,910.00
12467	10001 5419 5419 5419 5419	Action True Value Hardware PVC Pipe/Bubblers/Elbows/Reducer - Irrigation Repair Hannon Site PVC Pipe/Coupler/Tee/Reducer - Service Repair Cutting Wheels - Unit 4 Gate Valve Key Pins/Rope/Paint/Thread Compound - Districtwide	04/07/2022		32.02 19.51 11.50 141.23
Total for Check Number 12467:				0.00	204.26
12468	10003 47828	All Purpose Rental Submersible Pump - Winesap Leaks	04/07/2022		38.50
Total for Check Number 12468:				0.00	38.50

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12469	10144	AlSCO Inc	04/07/2022		
	LYUM1613294	Cleaning Mats/Shop Towels - 12th/Palm March 2022			38.52
	LYUM1613295	Cleaning Mats/Air Fresheners - 560 Magnolia March 2022			55.36
	LYUM1616836	Cleaning Mats/Shop Towels - 12th/Palm March 2022			38.52
	LYUM1616837	Cleaning Mats/Air Fresheners - 560 Magnolia March 2022			55.36
Total for Check Number 12469:				0.00	187.76
12470	10420	Amazon Capital Services, Inc.	04/07/2022		
	13MH-DVJ7-LHN1	6 GFI Adapters - Field Staff			137.82
	1T1X-W7LH-X9XV	2 Office Guest Chairs - HR			146.22
Total for Check Number 12470:				0.00	284.04
12471	10893	Anthem Blue Cross EAP	04/07/2022		
	701085996394	EAP April 2022			72.85
Total for Check Number 12471:				0.00	72.85
12472	10695	B-81 Paving Inc	04/07/2022		
	2240	5 Serviceline Repairs - Riverside County			7,746.75
	2240	2 Mainline Repairs - Riverside County			2,392.50
	2241	2 Serviceline Repairs - City of Beaumont			15,591.00
Total for Check Number 12472:				0.00	25,730.25
12473	10272	Babcock Laboratories Inc	04/07/2022		
	03312022	30 SOC Water Samples			6,337.26
	03312022	4 Nitrate Samples			70.56
	03312022	85 Coliform Water Samples			3,936.35
	03312022	6 Haloacetic Acids			833.52
	03312022	5 Trihalomethanes			435.50
Total for Check Number 12473:				0.00	11,613.19
12474	10283	BCVWD Custodian of Petty Cash	04/07/2022		
	03292022	Fee for Police Report for Vandalism			13.00
	03292022	Postage for Contract Documents			2.36
Total for Check Number 12474:				0.00	15.36
12475	10271	Beaumont Ace Home Center	04/07/2022		
	03312022	Fleet Maint Supplies			76.51
	03312022	Maint & Repair Pumping Equip Supplies			21.00
	03312022	Production Small Tools Supplies			262.35
	03312022	Maint & Repair Buildings General Supplies			69.02
	03312022	Transmission & Distribution Small Tools Supplies			365.00
	03312022	Maint & Repair Pumping Equip Supplies - Well 25			54.15
	03312022	Meters Maintenance & Service Supplies			169.50
	03312022	General Supplies			1,416.71
	03312022	Recharge Facility, Canyon & Pond Maint Supplies			3.54
	03312022	Maint & Repair 560 Magnolia Ave Supplies			97.18
	03312022	Maint & Repair Pipeline & Hydrant Supplies			32.38
	03312022	Maint & Repair 9781 Avenida Miravilla Supplies			105.75
Total for Check Number 12475:				0.00	2,673.09
12476	10557	Beaumont Copy & Graphics	04/07/2022		
	12687	Business Cards - M Swanson			80.76
Total for Check Number 12476:				0.00	80.76
12477	10774	Jesus Camacho	04/07/2022		
	888345	(20) Truck Washes Mar 2022			215.00
	888348	(23) Truck Washes Mar 2022			245.00
Total for Check Number 12477:				0.00	460.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12478	10822	Canon Financial Services, Inc	04/07/2022		
	28251009	Contract Charge - 03/01-03/31/2022 - 560 Magnolia			329.33
	28251009	Meter Usage - 02/01-02/28/2022			525.88
	28251009	Contract Charge - 03/01-03/31/2022 - 851 E 6th St			238.56
	28251009	Meter Usage - 02/01-02/28/2022			81.24
	28251010	Meter Usage - 02/01-02/28/2022			104.62
	28251010	Contract Charge - 03/01-03/31/2022 - 12th/Palm			235.78
Total for Check Number 12478:				0.00	1,515.41
12479	10614	Cherry Valley Automotive	04/07/2022		
	37358	Flat Repair - Unit 38/OD 29,557			20.00
Total for Check Number 12479:				0.00	20.00
12480	10016	City of Beaumont	04/07/2022		
	EP2022-0038	EP0038 - 226 E 11th St			490.63
	EP2022-0041	EP0041 - 1415 E 6th St			490.63
Total for Check Number 12480:				0.00	981.26
12481	10902	Colonial Life	04/07/2022		
	53743680313099	Col Life Premiums March 2022			4,258.56
Total for Check Number 12481:				0.00	4,258.56
12482	10266	Cozad & Fox Inc.	04/07/2022		
	18055	Design & Engineering Services - 2020/2021 Pipeline Rplemnt Proj			9,739.80
Total for Check Number 12482:				0.00	9,739.80
12483	11037	Darktrace Holdings Limited	04/07/2022	VOID	
	150140	IT Services		36,580.05	
Total for Check Number 12483:				36,580.05	0.00
12484	10600	Gaucho Pest Control Inc.	04/07/2022		
	04012022	NCR I Rodent Control April 2022			1,000.00
Total for Check Number 12484:				0.00	1,000.00
12485	10303	Grainger Inc	04/07/2022		
	9255683535	(2) Danger 480 Volts Safety Signs for District Buildings			30.97
	9255683535	(4) Danger Diesel Fuel Safety Signs for District Buildings			31.97
	9255683543	(7) High Voltage Safety Signs for District Buildings			35.93
	9255683543	(8) Notice Video Surveillance Signs for District Buildings			57.68
	9255683550	(10) Low Lead Brass Needle Valves - Districts Backflow Tester			61.37
	9255683568	(3) High Noise Area Safety Signs for District Buildings			7.50
	9255683576	(4) Warning Alarm System Safety Signs for District Buildings			24.66
	9263440738	(15) Safety Signs for District Buildings			86.46
Total for Check Number 12485:				0.00	336.54
12486	10202	Thomas Guy	04/07/2022		
	430572	Labor to Install Backhoe Hooks and Bar			500.00
	430572	Backhoe Hooks and Bar			300.00
Total for Check Number 12486:				0.00	800.00
12487	10273	Inland Water Works Supply Co.	04/07/2022		
	S1051514.012	Meter Coupling 1 X 2-1/2			838.69
	S1051539.005	Meter Coupling 1 X 2-1/2			3,503.85
	S1052543.003	Meter Coupling 1 X 2-1/2			1,248.71
	S1054174.003	24" Tall Pipe Support			237.59
	S1054187.003	Meter Bolts 2			110.87
	S1054187.003	2 1/2" Winters Liquid Filled Gauge			49.15
Total for Check Number 12487:				0.00	5,988.86

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12488	10809	Inner-City Auto Repair & Tires	04/07/2022		
	2622	Labor - Tires/Brakes/Rotors - Unit 17/OD 78,875			325.00
	2622	Tires/Brakes/Rotors - Unit 17/OD 78,875			1,128.55
	2701	Labor - Tires/Strut Assembly/Air Filter - Unit 3/OD 75,075			320.00
	2701	Tires/Strut Assembly/Air Filter - Unit 3/OD 75,075			1,175.75
Total for Check Number 12488:				0.00	2,949.30
12489	10496	John Borden Heating & Air Conditioning	04/07/2022		
	S-93992	Air Conditioner Maintenance - 560 Magnolia Ave			475.00
	S-94002	Air Conditioner Suction Line Repair - 560 Magnolia Ave			675.00
Total for Check Number 12489:				0.00	1,150.00
12490	10967	Keenan & Associates	04/07/2022		
	271086	Active Assailant Training - Districtwide			3,860.00
Total for Check Number 12490:				0.00	3,860.00
12491	10429	Legend Pump & Well Service Inc	04/07/2022		
	57303	Well 23 Rehab - Board Approved 12/08/2021			189,976.00
Total for Check Number 12491:				0.00	189,976.00
12492	10894	Liberty Dental Plan	04/07/2022		
	0001540592	Liberty Dental - April 2022			281.29
Total for Check Number 12492:				0.00	281.29
12493	10322	Jonathan Medina	04/07/2022		
	03232022	Boot Reimbursement - J Medina			53.83
Total for Check Number 12493:				0.00	53.83
12494	10103	Merlin Johnson Construction Inc	04/07/2022		
	061732	Emergency Weldor - Noble Tank Valve Replacement			980.82
Total for Check Number 12494:				0.00	980.82
12495	10143	Nobel Systems Inc	04/07/2022		
	15372	Pre-Paid GeoViewer iPad Subscription 05/01/2022 - 04/30/2023			19,500.00
	15384	GIS Updates to Existing Facilities			2,400.00
Total for Check Number 12495:				0.00	21,900.00
12496	11048	Personality Profile Solutions LLC	04/07/2022		
	32322BCVWD	DiSC Certification - S Foley			3,795.00
Total for Check Number 12496:				0.00	3,795.00
12497	11044	Qualys, Inc	04/07/2022		
	177319	IT Services			9,255.68
Total for Check Number 12497:				0.00	9,255.68
12498	10997	Redistricting Insights, LLC	04/07/2022		
	INV04889	Redistricting Services - March 2022			2,800.00
Total for Check Number 12498:				0.00	2,800.00
12499	10095	Riverside County Dept of Waste Resources	04/07/2022		
	202202000339	Weeds/Trash Removal - 12th/Palm - Feb 2022			30.30
Total for Check Number 12499:				0.00	30.30



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12500	10689	Safety Compliance Company	04/07/2022		
	207814	Safety Meeting - Blood Borne Pathogens - 03/02/2022			250.00
	208052	Safety Meeting - Lockout/Tagout/Blockout - 03/15/2022			250.00
	208089	Facilities Inspection - 03/16/2022			300.00
Total for Check Number 12500:				0.00	800.00
12501	10770	Sulzer Electro-Mechanical Services, Inc	04/07/2022		
	SI3002548	Oil - High HP Well Motors			3,430.82
Total for Check Number 12501:				0.00	3,430.82
12502	10675	Superior Pavement Markings	04/07/2022		
	15106	Pavement Striping - Various Repaved Locations - City of Beaumont			1,750.00
Total for Check Number 12502:				0.00	1,750.00
12503	10255	Unlimited Services Building Maintenance	04/07/2022		
	0450038-IN	Apr 2022 Janitorial Services for 815 E 12th St			150.00
	0450039-IN	Apr 2022 Janitorial Services for 560 Magnolia Ave			845.00
	0450200-IN	Apr 2022 Janitorial Services for 851 E 6th St			160.00
Total for Check Number 12503:				0.00	1,155.00
12504	10778	Urban Habitat	04/07/2022		
	7048	Landscape Contract Service - March 2022			5,140.50
Total for Check Number 12504:				0.00	5,140.50
12505	10934	USAFact, Inc	04/07/2022		
	2033271	Pre-Employment Background Checks - March 2022			31.60
Total for Check Number 12505:				0.00	31.60
12506	10385	Waterline Technologies, Inc. - PSOC	04/07/2022		
	5572024	Chlorine - Well 25			1,147.00
Total for Check Number 12506:				0.00	1,147.00
12507	10651	Weldors Supply and Steel, Inc	04/07/2022		
	27078	Oxygen/Welding Gloves - Welding Supplies			52.67
	27078	Torch Handle/Protective Lens - Parts for Weldor			142.88
	27078	Safety Glasses - Field Staff			17.02
	27274	Pressure Regulator and Gauge for Weldor - Unit 44			793.46
Total for Check Number 12507:				0.00	1,006.03
Total for 4/7/2022:				36,580.05	453,900.94
ACH	10030	Southern California Edison	04/13/2022		
	700154530138Feb	Electricity 11/22/2021-02/22/2022 - Wells			16,522.16
	700154530138Mar	Electricity 02/17-03/23/2022 - Wells			91,935.88
	700154530138Mar	Electricity 02/14-03/15/2022 - 851 E 6th St			179.41
	700154530138Mar	Electricity 02/23-03/23/2022 - Wells			55,453.67
	700154530138Mar	Electricity 02/23-03/23/2022 - 560 Magnolia Ave			1,715.53
	700154530138Mar	Electricity 02/17-03/20/2022 - 815 E 12th Ave			519.75
	700154530138Mar	Electricity 02/23-03/23/2022 - 9781 Avenida Miravi			128.31
	700359906319Mar	Electricity 02/23-03/23/2022 - 13697 Oak Glen Rd			169.90
	700359906319Mar	Electricity 02/23-03/23/2022 - 13695 Oak Glen Rd			204.01
	700359906319Mar	Electricity 02/23-03/23/2022 - 12303 Oak Glen Rd			351.80
Total for this ACH Check for Vendor 10030:				0.00	167,180.42

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
ACH	10031	Staples Business Advantage	04/13/2022		
	3502013893	IT Office Supplies - 560 Magnolia Ave			84.01
	3502013894	Office Supplies - 560 Magnolia Ave			20.87
	3502013895	Office Supplies - 560 Magnolia Ave			32.95
	3502013896	Office Supplies - 560 Magnolia Ave			31.13
	3502964036	Office Supplies - 560 Magnolia Ave			88.34
	3502964038	Office Supplies - 560 Magnolia Ave			14.32
	3503504956	Office Supplies - 560 Magnolia Ave			452.44
	3503504957	IT Office Supplies - 560 Magnolia Ave			174.47
	3503504958	Office Supplies - 560 Magnolia Ave			66.24
Total for this ACH Check for Vendor 10031:				0.00	964.77
ACH	10042	Southern California Gas Company	04/13/2022		
	07132135000Mar	Monthly Gas Charges 03/01-03/30/2022			14.30
Total for this ACH Check for Vendor 10042:				0.00	14.30
ACH	10052	Home Depot Credit Services	04/13/2022		
	03312022	Brad Nailer - Unit 5			139.00
	03312022	Faucet - 560 Magnolia Ave			139.00
	03312022	Drywall Repair - 560 Magnolia Ave			124.03
	03312022	6 Ratchet Screwdrivers - Unit 3/12th/Palm			103.25
	03312022	Concrete - Booster 1 Building			95.98
	03312022	Drywall Tools - Districtwide			30.58
	03312022	Replace Stolen Tools			753.17
	03312022	Pressure Vacuum Breaker - District Backflow Tester			310.65
	03312022	Brad Nails - Districtwide			10.75
Total for this ACH Check for Vendor 10052:				0.00	1,706.41
ACH	10147	Online Information Services, Inc	04/13/2022		
	1117427	285 Credit Reports for Mar 2022			799.50
Total for this ACH Check for Vendor 10147:				0.00	799.50
ACH	10350	NAPA Auto Parts	04/13/2022		
	175093	Shop Towels - Unit 17			20.46
	175395	Bulbs - Unit 38			17.76
	175832	Fuel Cap - Unit 12			16.69
	176105	Oil - Unit 37			29.06
	176106	Funnel - Unit 37			1.07
Total for this ACH Check for Vendor 10350:				0.00	85.04
Total for 4/13/2022:				0.00	170,750.44
ACH	10138	ARCO Business Solutions	04/14/2022		
	HW201 Apr 2022	ARCO Fuel Charges 04/05-04/11/2022			3,232.86
Total for this ACH Check for Vendor 10138:				0.00	3,232.86
ACH	10085	CalPERS Retirement System	04/14/2022		
	1002086354	PR Batch 00001.04.2022 CalPERS 8% ER Paid			895.10
	1002086354	PR Batch 00001.04.2022 CalPERS 7% EE Deduction			1,343.54
	1002086354	PR Batch 00001.04.2022 CalPERS 7.5% EE PEPRA			4,505.41
	1002086354	PR Batch 00001.04.2022 CalPERS ER PEPRA			4,859.86
	1002086354	PR Batch 00001.04.2022 CalPERS ER Paid Classic			8,791.06
	1002086354	PR Batch 00001.04.2022 CalPERS 1% ER Paid			191.93
	1002086354	PR Batch 00001.04.2022 CalPERS 8% EE Paid			2,000.93
	1002086359	PR Batch 00001.04.2022 CalPERS ER PEPRA Term EE			63.20
	1002086359	PR Batch 00001.04.2022 CalPERS 7.5% EE PEPRA Term EE			58.59
Total for this ACH Check for Vendor 10085:				0.00	22,709.62

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
ACH	10087 2-120-152-672 2-120-152-672	EDD PR Batch 00001.04.2022 State Income Tax PR Batch 00001.04.2022 CA SDI	04/14/2022		4,611.22 1,370.96
Total for this ACH Check for Vendor 10087:				0.00	5,982.18
ACH	10094 270250422213067 270250422213067 270250422213067 270250422213067 270250422213067	U.S. Treasury PR Batch 00001.04.2022 FICA Employer Portion PR Batch 00001.04.2022 FICA Employee Portion PR Batch 00001.04.2022 Federal Income Tax PR Batch 00001.04.2022 Medicare Employer Portion PR Batch 00001.04.2022 Medicare Employee Portion	04/14/2022		7,847.39 7,847.39 12,271.99 1,835.27 1,835.27
Total for this ACH Check for Vendor 10094:				0.00	31,637.31
ACH	10141 39399297	Ca State Disbursement Unit PR Batch 00001.04.2022 Garnishment	04/14/2022		288.46
Total for this ACH Check for Vendor 10141:				0.00	288.46
ACH	10203 VB1450PP08 2022	Voya Financial PR Batch 00001.04.2022 Deferred Comp	04/14/2022		350.00
Total for this ACH Check for Vendor 10203:				0.00	350.00
ACH	10264 1002086357 1002086357 1002086357 1002086357 1002086357 1002086357 1002086357	CalPERs Supplemental Income Plans PR Batch 00001.04.2022 ROTH-Post-Tax PR Batch 00001.04.2022 100% Contribution PR Batch 00001.04.2022 457 Loan Repayment PR Batch 00001.04.2022 CalPERS 457 PR Batch 00001.04.2022 457 Catch-Up PR Batch 00001.04.2022 CalPERS 457 % PR Batch 00001.04.2022 ROTH % Deduction	04/14/2022		25.00 480.22 357.79 1,271.15 417.49 73.61 58.87
Total for this ACH Check for Vendor 10264:				0.00	2,684.13
ACH	10895 29102162	Basic Pacific PR Batch 00001.04.2022 Flexible Spending Account (PT)	04/14/2022		154.18
Total for this ACH Check for Vendor 10895:				0.00	154.18
ACH	10984 1649782204295	MidAmerica Administrative & Retirement Solutions PR Batch 00001.04.2022 401(a) Deferred Comp	04/14/2022		1,043.60
Total for this ACH Check for Vendor 10984:				0.00	1,043.60
1988	10387 04142022PP08	Franchise Tax Board PR Batch 00001.04.2022 Garnishment FTB	04/14/2022		109.03
Total for Check Number 1988:				0.00	109.03
Total for 4/14/2022:				0.00	68,191.37
ACH	10781 10019 10031 10037	Umpqua Bank C R & R Incorporated Monthly Charges 3 YD Commercial Bin Mar 2022 Staples Business Advantage Office Supplies Waste Management Of Inland Empire Yard Dumpsters - 815 E 12th Mar 2022 Organics Cart Charges - 815 E 12th Mar 2022 Recycling Dumpster Charges - 815 E 12th Mar 2022 Recycling Dumpster Charges - 560 Magnolia Mar 2022 Monthly Sanitation - 560 Magnolia Mar 2022	04/15/2022		285.83 70.50 322.20 54.50 97.59 97.59 118.50

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
10171		Riverside Assessor - County Recorder County Records for District Owned Residences			35.80
10173		California Society of Municipal Finance Officers Intermediate Govt Accounting - E Gonzales Budget Award Application Fee			200.00 150.00
10192		Jaytown Industries Inc 50 District Logo Decals - District Buildings			944.97
10224		Legal Shield Monthly Prepaid Legal for Employees Mar 2022			123.55
10233		Pro-Pipe & Supply Union - 9781 Avenida Miravilla			133.78
10249		CDW Government LLC Annual Support Maint Renewal - Proxy Software			2,208.62
10284		Underground Service Alert of Southern California 158 New Ticket Charges Feb 2022 Monthly Maintenance Fee			260.70 10.00
10338		California Special Districts Association Refund - 2022 Special District Leadership Academy - J Covington			-525.00
10366		DRI Vmware Annual VMWare License/Support Renewal			4,027.00
10409		Stater Bros Drinks/Napkins/Plates - Lunch & Learn Active Assailant Training			70.27
10417		Agri Builders/Commercial Concepts 35 Blank White Signs - District Buildings 25 Blank White Signs - Canyon Property/NCRF I & II 25 Blank White Signs - District Buildings			1,230.75 864.49 864.49
10420		Amazon Capital Services, Inc. 2 Replacement Batteries - Meter Readers			94.14
10424		Top-Line Industrial Supply, LLC Tie Down Chains - Districtwide			290.60
10455		Advance Refrigeration & Ice Systems, Inc Ice Machine Maintenance - 12th/Palm			901.63
10477		Walgreens 2 Certificate Frames - 12th/Palm			25.17
10546		Frontier Communications 02/10-03/09/2022 Feb 2022 FIOS/FAX 12th/Palm 02/25-03/24/2022 Mar 2022 FIOS/FAX 841 E 6th St 02/25-03/24/2022 Mar 2022 FIOS/FAX 560 Magnolia Ave			327.98 143.94 290.00
10572		Southwest Airlines Flight - Water 101 - L Williams Flight - Water 101 - J Covington Flight - Bay Delta Tour - J Covington Flight - Bay Delta Tour - D Slawson			176.98 290.95 197.96 212.96
10573		O'Reilly Auto Parts 2 Stethoscopes - Unit 4/45 Power Inverter - Districtwide			25.84 35.55
10598		myfax Annual Renewal - HR Fax			110.00
10623		WP Engine Web Host for BCVWD Website Mar 2022			115.00
10630		FMB Truck Outfitters, Inc Weldor Torch Bottle Holder Kit - Unit 44			343.67
10632		Quinn Company LED Flood Light Replacements - CAT Dozer			564.04
10655		CompTIA CGCIO Training - R Rasha			3,700.00
10684		Ubiquity Networks 6 Replacement WiFi Extenders - Districtwide			1,157.24
10692		MMSoft Design Network Monitoring Software Mar 2022 Network Monitoring Software Upgrade			202.45 42.47
10761		BLS*Spamtitan Monthly Web Filter License Mar 2022			71.88

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
10782		R.S. Hughes, Inc Saftey Guard Rail - Noble Tank			361.12
10784		Autodesk, Inc Auto CAD Software 851 E 6th St - Mar 2022			1,135.00
10790		Microsoft Monthly Microsoft Exchange - Mar 2022			16.40
		Monthly Microsoft Office License - Mar 2022			960.00
		Monthly Microsoft Exchange - Mar 2022			295.49
10840		Ready Fresh (Arrowhead) Water - March 2022 - 851 E 6th St			59.45
10848		DLR-Anaheim Hotel - PARMA Conference - S Foley			619.26
10850		ISC Membership Renewal - 09/01/2022-08/31/2023			125.00
10892		Zoom Video Communications, Inc. (10) Video Conferences April 2022			205.90
10896		BlueBeam, Inc. Annual License & Maint Renewal - Team Coordination Software			753.25
10918		Apple.com Cloud Storage - iPads			9.99
10926		SSD Alarm Alarm Equip/Rent/Service/Monitor - 560 Magnolia Ave			362.13
		Alarm Equip/Rent/Service/Monitor - 11083 Cherry Ave			59.50
		Alarm Equip/Rent/Service/Monitor - 851 E. 6th St			77.69
		Alarm Equip/Rent/Service/Monitor - 815 12th St			125.00
10952		Eventbrite Water 101 - L Williams/J Covington - 04/08/2022			518.00
		Bay Delta Tour - L Williams - 05/18-05/20/2022			929.00
		Bay Delta Tour - J Covington - 05/18-05/20/2022			929.00
		Bay Delta Tour - D Slawson - 05/18-05/20/2022			929.00
		SHRM Chapter Meeting - S Foley - 04/21/2022			20.00
10955		City of Calimesa Annual Enoachment Permit - EP 22-06			123.00
10978		Nextiva, Inc. Monthly Phone Service March 2022			2,600.44
10999		Backblaze Offsite Backup Storage - Mar 2022			45.94
		Offsite Backup Storage - Apr 2022			50.64
11023		Dominos Pizza Pizza - Lunch and Learn Assailant Training			200.17
11030		Association for Talent Development Succession Planning Training Material - HR			19.99
11050		Ebay Handheld Meter Reader			1,023.61
11051		EZNotaryclass.com Notary Certification Supply Kit - K Manini			93.07
		Notary Certification Class - K Manini			79.00
11052		Hertz Rental Car Rental Car - J Covington - Pending Reversal			231.45
11053		McAfee Institue, LLC Cyber Investigation Certification - R Rasha			897.10
11054		MyMedic Emergency Response First Aid Kits			1,518.62
11055		United Airlines Flight - Water 101 - L Williams (Re-Booked)			248.60
Total for this ACH Check for Vendor 10781:				0.00	36,588.39
Total for 4/15/2022:				0.00	36,588.39

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
ACH	10138 HW201 Apr 2022	ARCO Business Solutions ARCO Fuel Charges 04/12-04/18/2022	04/21/2022		2,587.27
Total for this ACH Check for Vendor 10138:				0.00	2,587.27
12509	11057 04212022 04212022	SWRCB DFA - Arrearages Program Refund Credits Not Applicable - Arrearages Grant Program Refund Credits Not Applicable - Arrearages Grant Program	04/21/2022		3,104.57 39,412.42
Total for Check Number 12509:				0.00	42,516.99
12510	10000 1573 1573	A C Propane Co Annual Tank Rental - 12303 Oak Glen Rd Annual Tank Rental - 9781 Avenida Miravilla	04/21/2022		52.80 52.80
Total for Check Number 12510:				0.00	105.60
12511	10792 05012022	A-1 Financial Services May 2022 Rent - 851 E. 6th St Eng Office	04/21/2022		2,131.64
Total for Check Number 12511:				0.00	2,131.64
12512	10319 04012022 04012022 04012022 04012022 04012022 04012022	ACWA Joint Powers Insurance Authority 2021/2022 3rd Qtr Board WC Calculation Adj 2021/2022 3rd Qtr Finance WC Calculation Adj PP08 EE Adjustment 2021/2022 3rd Qtr Engineering WC Calculation Adj 2021/2022 3rd Qtr Operations WC Calculation Adj 2021/2022 3rd Qtr Workers Comp	04/21/2022		-0.11 -1.24 307.37 -1.90 0.99 10,167.55
Total for Check Number 12512:				0.00	10,472.66
12513	10144 LYUM1620337 LYUM1620338	AlSCO Inc Cleaning Mats/Shop Towels 12th/Palm March 2022 Cleaning Mats/Air Fresheners 560 Magnolia March 2022	04/21/2022		29.32 55.36
Total for Check Number 12513:				0.00	84.68
12514	10695 2249	B-81 Paving Inc 6 Mainline Leak Repairs - Cherry Valley	04/21/2022		8,101.50
Total for Check Number 12514:				0.00	8,101.50
12515	10855 1498860	Badger Meter, Inc 1" Encoder W/ITRON ILC	04/21/2022		51,289.00
Total for Check Number 12515:				0.00	51,289.00
12516	10773 22-253	Bartel Associates, LLC GASB 75 Project - March 2022	04/21/2022		510.00
Total for Check Number 12516:				0.00	510.00
12517	10822 28404374 28404374 28404374 28404374 28404375 28404375	Canon Financial Services, Inc Contract Charge - 04/01-04/30/2022 - 851 E 6th St Meter Usage - 03/01-03/31/2022 Meter Usage - 03/01-03/31/2022 Contract Charge - 04/01-04/30/2022 - 560 Magnolia Ave Contract Charge - 04/01-04/30/2022 - 12th/Palm Meter Usage - 03/01-03/31/2022	04/21/2022		238.56 58.70 596.32 329.33 235.78 78.75
Total for Check Number 12517:				0.00	1,537.44

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12518	10614	Cherry Valley Automotive	04/21/2022		
	37519	Flat Repair - Unit 38/OD 30,192			20.00
	37534	Flat Repair - Unit 03/OD 75,454			20.00
	37535	Oil/Filter/Brake Pads - Unit 32/OD 61,037			359.54
	37535	Labor - Oil/Filter/Brake Pads - Unit 32/OD 61,037			300.00
	37565	Labor - Oil/Filter/Bulb - Unit 38/OD 30,385			35.00
	37565	Oil/Filter/Bulb - Unit 38/OD 30,385			38.70
Total for Check Number 12518:				0.00	773.24
12519	10351	Cherry Valley Nursery & Landscape Supply	04/21/2022		
	0229147	Sod - Service Repair			19.36
	0231660	Sod - Service Repair			12.91
Total for Check Number 12519:				0.00	32.27
12520	10016	City of Beaumont	04/21/2022		
	EP2022-0074	EP0074 - 7th St & Alley East of Wellwood Ave			800.50
Total for Check Number 12520:				0.00	800.50
12521	10709	Core & Main LP	04/21/2022		
	Q612491	Nipple Brass 1 X 06			1,054.05
	Q612491	Meter Coupling 1 X 2-1/2			1,787.57
	Q612491	Hydrant 6 Hole J-3765 4 X 2-1/2 X2-1/2			5,541.02
Total for Check Number 12521:				0.00	8,382.64
12522	10802	John Covington	04/21/2022		
	04122022	Reimburse Rental Car Expense - Water 101 - J Covington			273.31
	04122022	Reimburse Mileage Expense - Water 101 - J Covington			48.20
	04122022	Reimburse Parking Expense - Water 101 - J Covington			26.00
Total for Check Number 12522:				0.00	347.51
12523	10266	Cozad & Fox Inc.	04/21/2022		
	18079	Engineering & Design Services - "B" Line Pipeline Replacement			7,712.60
Total for Check Number 12523:				0.00	7,712.60
12524	10772	CV Strategies	04/21/2022		
	6659	Strategic Communication Services - Feb 2022			14,053.75
Total for Check Number 12524:				0.00	14,053.75
12525	10390	Dangelo Company	04/21/2022		
	S1466096.001	Material - MDP Line 16 Pipeline Replacement Project			71.07
	S1469135.001	Meter Coupling JJ 1 X 1 1/2			1,856.14
	S1469135.001	Meter Coupling 1 X 3			161.91
	S1472026.001	Meter Gasket Drop In 1-1/2			165.72
	S1472026.001	Nuts and Bolts 5/8 X 2 1/2			104.19
Total for Check Number 12525:				0.00	2,359.03
12526	11037	Darktrace Holdings Limited	04/21/2022		
	150140	Reissue - IT Services			36,580.05
Total for Check Number 12526:				0.00	36,580.05
12527	10942	Diamond Environmental Services LP	04/21/2022		
	0003874134	(2) Rental and Service Handicap Restroom - 04/11-05/09/2022			271.10
	0003874135	(1) Rental and Service Portable Restroom - 04/11-05/09/2022			102.06
Total for Check Number 12527:				0.00	373.16

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12528	10244 04112022	Fiserv Inc NSF Fee - 1107527265	04/21/2022		40.00
Total for Check Number 12528:				0.00	40.00
12529	10303 9282850131	Grainger Inc Poly Pinchers - Unit 4/Unit 17	04/21/2022		618.46
Total for Check Number 12529:				0.00	618.46
12530	10321 04142022D 04142022T	Julian Herrera Jr Water Distribution System Operation & Maint Course - J Herrera Water Treatment Plant Operation Course - J Herrera	04/21/2022		50.00 50.00
Total for Check Number 12530:				0.00	100.00
12531	10929 1105	IC Systems (96) 60lb Buckets Accu-Tab Chlorine Tablets - Dist Chloronators	04/21/2022		16,600.00
Total for Check Number 12531:				0.00	16,600.00
12532	10995 19749 19749 19759 19759	Infinity Recycling & Materials Inc Class II Base - Leak Repairs Class II Base - Leak Repairs Class II Base - Leak Repairs Class II Base - Leak Repairs	04/21/2022		120.00 120.00 80.01 79.99
Total for Check Number 12532:				0.00	400.00
12533	10398 209784 209784 209785	Infosend, Inc Mar 2022 Supply Charges for Utility Billing Mar 2022 Processing Charges for Utility Billing Mar 2022 Postage Charges for Utility Billing	04/21/2022		737.81 1,106.91 4,988.56
Total for Check Number 12533:				0.00	6,833.28
12534	10273 S1054362.001 S1054362.001 S1054529.001 S1054635.001 S1054706.001 S1054706.002 S1054739.001 S1054739.001	Inland Water Works Supply Co. Full Circle 595 - 635 X 07.5 Full Circle 595 - 635 X 12 Materials - 2017 Pipeline Replacement Project 1 Meter Coupling Materials - MDP Line 16 Replacement Pipeline Project Materials - MDP Line 16 Replacement Pipeline Project DIP 8 PC 350 Field Lok 8	04/21/2022		458.71 1,283.68 18,118.07 8,297.66 2,125.53 133.42 5,637.51 3,259.94
Total for Check Number 12534:				0.00	39,314.52
12535	10496 S-94261	John Borden Heating & Air Conditioning AC Unit Repair - 560 Magnolia Ave	04/21/2022		524.00
Total for Check Number 12535:				0.00	524.00
12536	10894 0001546961	Liberty Dental Plan Liberty Dental - May 2022	04/21/2022		326.41
Total for Check Number 12536:				0.00	326.41
12537	10026 561672 RI 561672 RI 561672 RI	McCrometer Inc New Meter Bearing Assembly for Well 12 Meter Cable for Well 12 Meter Dry Packs for Pumping Equipment Meters	04/21/2022		345.82 19.58 65.25
Total for Check Number 12537:				0.00	430.65



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
12538	10103 061744	Merlin Johnson Construction Inc Retention Costs - Antonelle Pipeline Project	04/21/2022		7,728.90
Total for Check Number 12538:				0.00	7,728.90
12539	10223 236079	Richards, Watson & Gershon Legal Services Feb 2022 Board Approval 04/13/2022	04/21/2022		3,937.50
Total for Check Number 12539:				0.00	3,937.50
12540	10095 202203000339	Riverside County Dept of Waste Resources Weeds/Trash Removal NCR I Mar 2022	04/21/2022		36.70
Total for Check Number 12540:				0.00	36.70
12541	10689 208724	Safety Compliance Company Safety Training - Heat Illness - 04/06/2022	04/21/2022		250.00
Total for Check Number 12541:				0.00	250.00
12542	10290 22-00244	San Gorgonio Pass Water Agency 382 AF @ \$399 for Mar 2022	04/21/2022		152,418.00
Total for Check Number 12542:				0.00	152,418.00
12543	10830 2091876-IN	SC Fuels Hydraulic Oil for Maintenance on District Wells	04/21/2022		1,011.46
Total for Check Number 12543:				0.00	1,011.46
12544	10989 04142022	Shannon Anglin Mobile Notary Fee	04/21/2022		205.00
Total for Check Number 12544:				0.00	205.00
12545	10758 124383867-0001	Sunbelt Rentals, Inc Roller Rental for Damaged Slope Repairs at NCRF Ph 1	04/21/2022		2,089.75
Total for Check Number 12545:				0.00	2,089.75
12546	10981 0740 0822	Taylor's Plumbing, LLC Service Hot Water Heater - 560 Magnolia Ave Replace Expansion Tank for Hot Water Heater - 560 Magnolia Ave	04/21/2022		285.00 235.80
Total for Check Number 12546:				0.00	520.80
12547	10651 27435	Weldors Supply and Steel, Inc Couplers/Fittings - District Weldor	04/21/2022		31.64
Total for Check Number 12547:				0.00	31.64
Total for 4/21/2022:				0.00	424,168.60
12548	10769 04262022	Fritts Ford 2022 Ford F150 4x4	04/26/2022		33,337.15
Total for Check Number 12548:				0.00	33,337.15
Total for 4/26/2022:				0.00	33,337.15

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
ACH	10085	CalPERS Retirement System	04/28/2022		
	1002095583	PR Batch 00002.04.2022 CalPERS 8% EE Paid			1,799.20
	1002095583	PR Batch 00001.04.2022 CalPERS ER PEPRA			54.36
	1002095583	PR Batch 00002.04.2022 CalPERS 7.5% EE PEPRA			20.23
	1002095583	PR Batch 00002.04.2022 CalPERS 1% ER Paid			191.93
	1002095583	PR Batch 00002.04.2022 CalPERS ER PEPRA			21.82
	1002095583	PR Batch 00002.04.2022 CalPERS 7.5% EE PEPRA			4,416.72
	1002095583	PR Batch 00002.04.2022 CalPERS ER PEPRA			4,764.18
	1002095583	PR Batch 00001.04.2022 CalPERS 7.5% EE PEPRA			50.40
	1002095583	PR Batch 00002.04.2022 CalPERS 8% ER Paid			895.10
	1002095583	PR Batch 00002.04.2022 CalPERS 7% EE Deduction			1,343.54
	1002095583	PR Batch 00002.04.2022 CalPERS ER Paid Classic			8,390.87
Total for this ACH Check for Vendor 10085:				0.00	21,948.35
ACH	10087	EDD	04/28/2022		
	0-516-142-176	PR Batch 00001.04.2022 CA SDI			7.63
	0-516-142-176	PR Batch 00001.04.2022 State Income Tax			10.21
	0-516-142-176	PR Batch 00002.04.2022 CA SDI			3.12
	0-516-142-176	PR Batch 00002.04.2022 State Income Tax			2.89
	0-516-142-176	PR Batch 00002.04.2022 State Income Tax			4,551.04
	0-516-142-176	PR Batch 00002.04.2022 CA SDI			1,331.77
Total for this ACH Check for Vendor 10087:				0.00	5,906.66
ACH	10094	U.S. Treasury	04/28/2022		
	270251850968771	PR Batch 00001.04.2022 Medicare Employer Portion			10.06
	270251850968771	PR Batch 00001.04.2022 FICA Employer Portion			43.00
	270251850968771	PR Batch 00002.04.2022 Medicare Employee Portion			4.11
	270251850968771	PR Batch 00002.04.2022 Federal Income Tax			12,048.23
	270251850968771	PR Batch 00002.04.2022 Medicare Employee Portion			1,817.51
	270251850968771	PR Batch 00001.04.2022 Federal Income Tax			49.20
	270251850968771	PR Batch 00001.04.2022 FICA Employee Portion			43.00
	270251850968771	PR Batch 00002.04.2022 FICA Employee Portion			7,771.46
	270251850968771	PR Batch 00002.04.2022 FICA Employer Portion			17.57
	270251850968771	PR Batch 00002.04.2022 Medicare Employer Portion			1,817.51
	270251850968771	PR Batch 00002.04.2022 Medicare Employer Portion			4.11
	270251850968771	PR Batch 00002.04.2022 Federal Income Tax			9.58
	270251850968771	PR Batch 00002.04.2022 FICA Employee Portion			17.57
	270251850968771	PR Batch 00001.04.2022 Medicare Employee Portion			10.06
	270251850968771	PR Batch 00002.04.2022 FICA Employer Portion			7,771.46
Total for this ACH Check for Vendor 10094:				0.00	31,434.43
ACH	10141	Ca State Disbursement Unit	04/28/2022		
	39555410	PR Batch 00002.04.2022 Garnishment			288.46
Total for this ACH Check for Vendor 10141:				0.00	288.46
ACH	10203	Voya Financial	04/28/2022		
	VB1450PP09 2022	PR Batch 00002.04.2022 Deferred Comp			350.00
Total for this ACH Check for Vendor 10203:				0.00	350.00
ACH	10264	CalPERs Supplemental Income Plans	04/28/2022		
	1002095580	PR Batch 00002.04.2022 CalPERS 457 %			74.58
	1002095580	PR Batch 00002.04.2022 CalPERS 457			1,271.15
	1002095580	PR Batch 00002.04.2022 ROTH-Post-Tax			25.00
	1002095580	PR Batch 00002.04.2022 457 Catch-Up			417.49
	1002095580	PR Batch 00002.04.2022 ROTH % Deduction			61.16
	1002095580	PR Batch 00002.04.2022 100% Contribution			1,200.55
	1002095580	PR Batch 00002.04.2022 457 Loan Repayment			357.79
Total for this ACH Check for Vendor 10264:				0.00	3,407.72

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Void Check	Check Amount
ACH	10895 29262321	Basic Pacific PR Batch 00002.04.2022 Flexible Spending Account (PT)	04/28/2022		154.18
Total for this ACH Check for Vendor 10895:				0.00	154.18
ACH	10984 1651006496495	MidAmerica Administrative & Retirement Solutions PR Batch 00002.04.2022 401(a) Deferred Comp	04/28/2022		1,043.60
Total for this ACH Check for Vendor 10984:				0.00	1,043.60
1991	10387 04282022PP09	Franchise Tax Board PR Batch 00002.04.2022 Garnishment FTB	04/28/2022		109.03
Total for Check Number 1991:				0.00	109.03
Total for 4/28/2022:				0.00	64,642.43
Report Total (174 checks):				36,580.05	1,251,579.32



**Beaumont-Cherry Valley Water District  
Board of Directors Meeting  
May 11, 2022**

Item 2d

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Approval of Pending Invoices

---

**Staff Recommendation**

Approve the pending invoice totaling \$4,675.15.

**Background**

Staff has reviewed the pending invoice and found the services rendered were acceptable to the District.

**Fiscal Impact**

There is a \$4,675.15 impact to the District which will be paid from the 2022 budget.

**Attachment(s)**

- Richards Watson Gershon Invoice #236543

Staff Report prepared by William Clayton, Senior Finance and Administrative Analyst



T 213.626.8484  
F 213.626.0078  
Fed. I.D. No. 95-3292015

350 South Grand Avenue  
37th Floor  
Los Angeles, CA 90071

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This material is subject to the attorney-client privilege and/or attorney work product protection, or otherwise is privileged or confidential. Do not disclose the contents hereof. Do not file with publicly-accessible records.

DAN JAGGERS, GENERAL MANAGER  
BEAUMONT- CHERRY VALLEY WATER DISTRICT  
560 MAGNOLIA AVENUE  
BEAUMONT, CA 92223-2258

April 12, 2022  
Invoice # 236543

Re: 12788-0001 GENERAL COUNSEL SERVICES

*For professional services rendered through March 31, 2022:*

---

Current Legal Fees.....	\$4,675.00
Current Client Costs Advanced .....	<u>\$0.15</u>
<b>TOTAL CURRENT FEES AND COSTS.....</b>	<b><u>\$4,675.15</u></b>
Balance Due From Previous Statement .....	\$3,937.50
<b>TOTAL BALANCE DUE FOR THIS MATTER.....</b>	<b><u>\$8,612.65</u></b>

TERMS: PAYMENT DUE UPON RECEIPT

PLEASE RETURN THIS PAGE WITH YOUR REMITTANCE TO

RICHARDS, WATSON & GERSHON  
350 South Grand Avenue, 37th Floor  
Los Angeles, CA 90071

**RICHARDS WATSON GERSHON**



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF SPECIAL MEETING  
OF THE BOARD OF DIRECTORS**  
Wednesday, March 30, 2022 at 6:00 p.m.

*Meeting held in person and via video teleconference pursuant to  
California Government Code Section 54950 et. seq.  
and BCVWD Resolution 2022-04*

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**Call to Order: President Williams**

*President Williams began the meeting at 6:09 p.m.*

**Roll Call:**

Directors present:	Covington, Hoffman, Ramirez, Slawson, Williams
Directors absent:	None
Staff present:	General Manager Dan Jagers Director of Finance and Administrative Services Kirene Manini, PhD Director of Information Technology Robert Rasha
Legal Counsel	None

Members of the public who registered their attendance: None.

**Announcement of Teleconference Participation**

Dr. Kirene Manini, Director of Finance and Administrative Services, clarified that this meeting is conducted pursuant to California Government Code Section 54953 and AB 361.

The teleconference capabilities of this meeting have been identified in the Notice and Agenda. Due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

Dr. Manini verified that all directors have indicated that they are able to hear the other directors clearly. No directors expressed any reason to believe, based on voice recognition or otherwise, that those persons representing themselves to be directors are not truly so.

**Public Comment:**

Mr. Jake Knight reported that a BCVWD contractor hit a gas line and caused inconvenience to his family. He expressed concern that there is not a protocol in place to identify buried gas lines and other utilities before work happens, and that the contractor used by BCVWD did not have signage or resources to block the road. He also commented on the degree of hazard exposure to him and his neighbors as related to this contractor’s bidding on future contracts. He asked how the public can find out who the contractors were, the bid acceptance, and past history. General Manager Dan Jagggers responded that he will contact Mr. Knight.

**1. Adjustments to the Agenda:** None.

*Director Ramirez arrived at the meeting at approximately 6:30 p.m.*

**2. Recessed to Closed Session at 6:17 p.m.**

CONFERENCE WITH LABOR NEGOTIATORS  
Pursuant to Government Code Section 54957.6  
Agency designated representatives: Dan Jagggers, General Manager and Kirene Manini, PhD, Director of Finance and Administrative Services  
Employee Organization: BCVWD Employee Association and Contract Positions

**Reconvened in Open Session at 9:36 p.m.**

**3. Report on Action Taken During Closed Session**

President Williams reported that the Board of Directors has authorized the General Manager to meet with labor negotiators and continue discussions to close out the contract year.

**4. Adjournment**

*President Williams adjourned the meeting at 9:36 p.m.*

ATTEST:

*DRAFT UNTIL APPROVED*

*DRAFT UNTIL APPROVED*

\_\_\_\_\_  
Director Lona Williams, President  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District

\_\_\_\_\_  
Director David Hoffman, Secretary  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**  
560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF SPECIAL MEETING  
OF THE BOARD OF DIRECTORS**  
Thursday, April 7, 2022 at 11:00 a.m.

*Meeting held in person and via video teleconference pursuant to  
California Government Code Section 54950 et. seq.  
and BCVWD Resolution 2022-04*

---

**Call to Order: President Williams**

*President Williams began the meeting at 11:03 a.m.*

**Roll Call:**

Directors present:	Covington, Hoffman, Slawson, Williams
Directors absent:	Ramirez
Staff present:	General Manager Dan Jagers Director of Engineering Mark Swanson Director of Finance and Administrative Services Kirene Manini, PhD Director of Information Technology Robert Rasha Field Superintendent Knute Dahlstrom Civil Engineering Assistant Daniel Baguyo Administrative Assistant Cenica Smith
Legal Counsel	None

Members of the public who registered their attendance: None.

**Announcement of Teleconference Participation**

Dr. Kirene Manini, Director of Finance and Administrative Services, clarified that this meeting is conducted pursuant to California Government Code Section 54953 and AB 361.

The teleconference capabilities of this meeting have been identified in the Notice and Agenda. Due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

Dr. Manini verified that all directors have indicated that they are able to hear the other directors clearly. No directors expressed any reason to believe, based on voice recognition or otherwise, that those persons representing themselves to be directors are not truly so.



**Public Comment:** None.

1. **Adjustments to the Agenda:** None.
2. **Master Drainage Plan Line 16 Pipeline Relocation Project Budget Supplement Request for Additional Pipeline, (Pipeline 6) Relocation**

General Manager Dan Jagers reminded the Board about the pipeline relocation project in conjunction with the Master Drainage Plan (MDP) Line 16 storm drain project with Riverside County Flood Control and Water Conservation District. Subsequent to the District's work on five pipeline replacements, the contractor for the storm drain project commenced construction. Their surveyors staked the alignment of the project and noticed that there was a line encroaching on the storm drain project that was not reflected in the plan. Due to that discrepancy, staff has identified another 630 feet of pipe that needs to be relocated in order to accommodate the alignment of the storm drain project.

Additionally, staff has confirmed that the pipeline was identified in the 2017 Capital Improvement Program for replacement from a 6-inch line to an 8-inch line. The work necessary to modify the alignment is about 635 feet. It is appropriate to do that work at this time to accommodate the storm drain project and to capture the opportunity to install new pipe under new pavement for at least half of the replacement length, Jagers stated.

Staff has worked quickly to develop a construction drawing and the contractor doing the pipeline replacement project can begin construction as soon as Monday, Jagers explained. The District has materials available.

Jagers detailed costs including adding a fire hydrant.

In the spirit of partnership, Riverside County Flood Control has indicated they will contribute to the installation cost, Jagers noted.

In the event of authorization, an addendum will be issued today and the contractor, Merlin Johnson, will begin work, Jagers explained.

Director Hoffman asked about Merlin Johnson, and Jagers explained they were the lowest respective bidder on the previous project of this type of work and lengthy discussion has been held regarding this job.

Hoffman asked about the contribution of 50 percent by Flood Control; Jagers noted they will provide 50 percent of the contractor costs. He confirmed that staff worked diligently to locate materials needed.

Director Covington asked about the total replacement of 1,300 feet and if it was possible to complete the entire project. Jagers stated he did not think it possible to procure the needed materials in time. He indicated that once the storm drain is in, it may be worthwhile to negotiate a delay in paving to complete the additional 650 feet.

Covington suggested ordering material now to get ahead of the process. Preliminary discussions can be had concerning if the final component is to be added to the contract in the future, Jagers noted.

In response to a question from Director Covington about the bid process, Mr. Jagers explained this is an existing contract with an emergency activity to get out of the way of the storm drain project. It is adding a component cost, he noted, and the existing bid items are being leveraged.

*The Board approved the additional expenditure of an amount not to exceed \$161,500 for the Pipeline Relocation Project for Beaumont Master Drainage Line 16 by the following roll-call vote:*

MOVED: Covington	SECONDED: Hoffman	APPROVED 4-0
AYES:	Covington, Hoffman, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	Ramirez	

### 3. Adjournment

*President Williams adjourned the meeting at 11:21 a.m.*

ATTEST:

*DRAFT UNTIL APPROVED*

*DRAFT UNTIL APPROVED*

---

Director Lona Williams, President  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District

---

Director David Hoffman, Secretary  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District



**BEAUMONT-CHERRY VALLEY WATER DISTRICT**

560 Magnolia Avenue, Beaumont, CA 92223

**MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
Wednesday, April 13, 2022 at 6:00 p.m.**

*Meeting held in person and via teleconference pursuant to California Government Code Section 54950 et. seq. and under the provisions of Assembly Bill 361 and BCVWD Resolution 2022-04 and in person at 560 Magnolia Ave., Beaumont, CA*

**Call to Order:** *President Williams opened the meeting at 6:05 p.m.*

*Pledge of Allegiance was led by Director Covington.*

*Invocation was given by Director Slawson.*

**Announcement of Teleconference Participation**

Dr. Kirene Manini, Director of Finance and Administrative Services, clarified that this meeting is conducted pursuant to California Government Code Section 54953 and AB 361.

The teleconference capabilities of this meeting have been identified in the Notice and Agenda. Due to the danger of COVID-19, the teleconference locations are not publicly accessible.

Dr. Manini verified that Director Slawson was able to hear the other directors clearly. No directors expressed any reason to believe, based on voice recognition or otherwise, that those persons representing themselves to be directors are not truly so.

**Roll Call:**

Directors present:	Covington, Hoffman, Slawson, Williams
Directors absent:	Ramirez
Staff present:	General Manager Dan Jagers Director of Engineering Mark Swanson Director of Finance and Administrative Services Kirene Manini, PhD Senior Finance and Administrative Analyst Bill Clayton Director of Operations James Bean Human Resources Coordinator Sabrina Foley Director of Information Technology Robert Rasha Accounting Technician Erica Gonzales Civil Engineering Assistant Evan Ward Administrative Assistant Cenica Smith Administrative Assistant Lynda Kerney
Legal Counsel	James Markman

Members of the public who registered attendance: Cristina Virgilio and Andrew Graybar; Autumn DeWoody, Albert A. Webb Associates; Sean McReynolds and Cori Takkinen, Townsend Public Affairs; Kevin Walton, Larry Smith and Dr. Blair Ball, San Gorgonio Pass Water Agency.

**Public Comment:**

Mr. Kevin Walton, newly appointed Board member of the San Gorgonio Pass Water Agency (SGPWA), indicated he was impressed with the professionalism of BCVWD and thanked General Manager Dan Jagggers for providing helpful information.

**1. Adjustments to the Agenda:** None.

**2. Consent Calendar:**

*The following Consent Calendar items were approved with one motion:*

- a. Review of the February 2022 Budget Variance Reports
- b. Review of the February 28, 2022 Cash/Investment Balance Report
- c. Review of Check Register for the Month of March 2022
- d. Review of March 2022 Invoices Pending Approval
- e. Minutes of the Special Meeting of March 7, 2022
- f. Minutes of the Regular Meeting of March 9, 2022
- g. Minutes of the Regular Meeting of March 24, 2022
- h. Receive and file: Koff and Associates Classification Study Report 2022
- i. Receive and file: Koff and Associates Total Compensation Study Report 2022
- j. Resolution 2022-09 Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same

MOVED: Hoffman	SECONDED: Covington	APPROVED 4-0
AYES:	Covington, Hoffman, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	Ramirez	

**3. Approval of Agreement with Townsend Public Affairs, Inc. for Grant Writing Services in the Amount of \$60,000**

Dr. Manini advised that two proposals were received in response to the Request for Proposal. She provided background on the process and described the scoring of proposals and costs. She reviewed the agreement and advised that it has been vetted by legal

General Manager Jagggers reminded that these services were provided by Townsend in the last period, and they were successful in obtaining a grant. He said he expects the District to be actively pursuing available funding opportunities.

President Williams invited public comment. There was none.

Mr. Sean McReynolds of Townsend Public Affairs indicated they are pleased to be considered and to have provided services over the last few years. He noted that the federal earmark process has been reopened and last year a comprehensive application was submitted to lawmakers. A grant application for replacement of two wells was considered and has been resubmitted for consideration. Mr. Jagers clarified that the submittal was made during the RFP process so as not to miss any opportunities.

Director Slawson indicated support. Director Hoffman asked for assurance that a monthly report will be provided, clarified the annual costs of \$60,000, and asked if the commitment is for three years. Mr. Jagers pointed to the termination clause and noted it is a one-year at a time commitment. Dr. Manini described the content of the monthly report.

Director Covington asked if Townsend saw any immediate grant opportunities for special districts. Mr. Reynolds responded that there are several annual programs listed in the proposal. He advised that the monthly report would include an outline of upcoming opportunities, deadlines, and requirements. Ms. Cori Takkinen added specifics and noted there is a lot of work that can begin now to prepare.

Previously, the annual total was \$48,000 per year, Covington noted, and he asked about the increase. Ms. Takkinen explained that there are additional opportunities now available that will also be combined with some advocacy, and those activities justify the cost increase. In response to Covington, Takkinen stated that Townsend has five offices. Local staff is in southern California and there are also offices in Sacramento and Washington, D.C.

*The Board approved the Agreement with Townsend Public Affairs, Inc. for Grant Writing Services in the Amount of \$60,000 by the following roll-call vote:*

MOVED: Covington	SECONDED: Hoffman	APPROVED 4-0
AYES:	Covington, Hoffman, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	Ramirez	

**4. Resolution 2022-\_\_ : Implementation of Water Shortage Contingency Plan Stage 3 Water Shortage, Adopting Water Use Restrictions to Protect the Water System and the Ratepayers of the District, Implementing Drought Surcharges, and Activating BCVWD Resolution 2014-05 Regarding Issuance of Will-Serve Letters – NOT ADOPTED**

General Manager Jagers introduced the item and said that the Governor has made a declaration and ordered the Department of Water Resources (DWR) to take certain actions by May. The District has opportunity for additional actions that must be clearly stated for the Board’s consideration. The State does not necessarily define what individual water districts do. The San Gorgonio Pass Water Agency (SGPWA) also has meetings to discuss regional messaging in order to leverage everyone’s communication.

Director of Engineering Mark Swanson reviewed California’s snow water content, reservoir levels, and precipitation showing trends below average.

Swanson pointed out a series of Governor's proclamations and executive orders in effect related to encouragement of conservation. SaveOurWater.com, sponsored by the State, has some resources, he explained. It is a good tool to help get messaging out.

The Governor has directed the State Water Resources Control Board (SWRCB) to consider adopting emergency regulations that would enact a series of demand reduction requirements, Swanson stated. This is where the numbers start to move toward a reduction in water use of 20 percent, he stated. It also encourages planning for a dry year in 2023.

The District must submit its annual water supply assessment a month early, by June 1, Swanson said. He explained that potential further restrictions on ornamental turf may be issued on May 25.

Swanson described the District's 2021 supplies and demands and advised the Board that in looking at the District's total supply of 35,963 acre-feet (af) contrasted with the five-year long-term water supply demand of 70,740 af, something must be done to bridge the gap. Mr. Jagers added that there is an additional 1,700 af of available supply via the SGPWA from the Nickel water deal. Simply stated, he said, there is not a five-year storage supply available in continued drought conditions, as it is being consumed. Swanson advised that demands need to go down somehow through conservation.

Swanson reviewed historical State Water Project (SWP) deliveries and noted that the Board has supported purchase of additional water supply when available. Jagers reminded the Board about approximately 3,000 af lost from San Luis Reservoir in approximately 2019. The District's Beaumont Basin account allows for storage of up to 80,000 af, but the water must be available from the reservoirs and brought down, Swanson said. Jagers reminded the Board of a recent transfer of 508 af from available storage from the SGPWA.

Swanson pointed to the Water Shortage Contingency Plan (WSCP), explained the average yield, and the shortage levels. Shortage level 3 describes a reduction in supplies in the 30 percent range and mandatory conservation levels in the 20 percent range, he explained. The tools selected by the Board will get close to achieving the 20 percent reduction in use by enacting a Shortage Level 3, he said, but warned that if things get more severe, and the District did nothing, there could be a Level 5 Shortage.

Jagers reminded the Board of past discussion and the need for concerted response to assure there is not a long-term problem. Water is being removed from storage at a level that is creating a reduction in supply over the long-term average, and although there are positive things on the horizon, they are not certain. As a district, there should be reaction and determination as to what is the best action now, or wait until the Governor acts further, Jagers stated. He said he believes it is time to start forming the solution and working toward action.

In response to Director Covington, Jagers explained that Nickel Water is available this year but has not yet been delivered. He detailed the cost components and noted that SGPWA considers it part of their water supply portfolio. Covington asked if there was opportunity for BCVWD to purchase more Nickel Water. Jagers explained the varying value and cost of the 1,700 af of Nickel Water.

Swanson detailed some demand reduction actions for Board consideration. Jagers pointed out there has been little effort at the State level to deliver the message of the seriousness of the drought. He reiterated that staff believes this is a Level 3 water shortage.

In response to a question from Director Covington, Mr. Jagers estimated that recycled water would provide between 900 and 1,200 af per year. Director Hoffman noted that when recycled water comes online, the City of Beaumont would be the largest customer for that water. Jagers provided further detail on recycled water costs and current status with the City. He also advised that the reissued Chromium 6 requirements have impacts on the District.

Jagers explained the conundrum with delayed conservation awareness messaging via bi-monthly billing.

A 20 percent reduction in demand of the 2021 total production would be equal to 2,829.6 af, Swanson continued. He provided an a la carte menu of demand reduction options but noted that additional analysis would be needed to determine actual reduction amounts and what is achievable. Covington pointed out these are similar to the mandates rolled out in 2013-2014 and echo those from the State. He asked about what worked previously and what was truly effective. He noted the largest target might be landscaping to achieve the greatest reduction and said he is glad to hear that the State is suggesting these elements to achieve a reduction in use of water, while leaving it up to the agencies to enforce as seen fit at the local level.

Jagers advised that in the last drought, demand reduction of 26 percent was achieved, but this is more complex due to the new, post-2015 drought-friendly houses. He compared consumption of new to older homes. Director Covington asked about the percentage of new homes, and Jagers estimated 20 percent of the housing stock. Unfortunately, a lesson learned from the last drought is that savings will not be achieved unless it is made painful, Jagers noted.

Swanson segued into discussion of drought surcharges. The District still has ongoing operations and capital projects, but selling less water results in less income. He explained that this triggers the drought surcharges per the 2019 rate study: a Stage 2 20 percent reduction would trigger a \$0.36 per unit surcharge. Director Covington asked about the formula and questioned the consideration of reduced energy demand in pumping less water. Jagers reminded that energy is a pass-through and assured that Raftelis Financial Consultants is reviewing the surcharges. He suggested updating the costs, a ramp-up process starting low, and implementation of conservation measures.

If the State levies fines on districts for not meeting conservation targets as they did previously, surcharges may need to be increased or the decision might be that it costs less to be fined, Jagers cautioned. Director Hoffman provided water waste examples and said it will need to be determined how customers will be assisted in becoming aware of where improvements can be made. Jagers pointed out that when drought surcharges are enacted, funds can be used for conservation programs.

Swanson pointed out that development conditions require all new homes to have smart controllers.

Mr. Jagers drew attention to Resolution 2014-05 which states that will-serve letters (WSL) shall not be issued when a) a condition of drought is declared by the Governor, b) there is in effect mandatory conservation measures imposed by the State or in accordance with the District's Urban Water Management Plan (UWMP), and c) the quantity of ready to deliver water supplies is less than projected demand for five years. Conditions a and c have been met, and mandatory conservation measures have been requested by the Governor and may come forward on or before May 25, he stated. The Resolution is in effect and is triggered when the conditions are met, he advised.

Jagers pointed out landscaping activities at large new developments and related peaks in demand.

Swanson recommended determination of demand reduction measures for preparation of a resolution.

Legal Counsel Markman provided background on the prior one-size-fits all solution from the State in 2014. Pertinent to Resolution 2014-05, Markman noted this was issued prior to the last drought and said he would not be comfortable advising the board to turn down will-serve requests without analysis of the entire current situation. It will be important to have further discussion on 2014-05 with legal counsel, Covington posited.

Markman noted the restrictions from the State have no consequences behind them. He said if the District follows all the State's mandates, there is no other necessary action. Covington noted there are two years of water supply in storage. Markman said he understands this is dire and the pressure on the Board. He advised that impacts would need to be measured, but sees nothing wrong with implementing the level of conservation as prescribed in District policies.

Slawson said he had hoped to initiate Level 1 or 2 prior to this. All must reduce use, he said, as growth is helpful to the community.

Jagers said that the SGPWA is working with a consultant regarding how the baselines are measured for conservation comparison.

President Williams advocated for more conservation messaging and outreach prior to restrictions.

President Williams invited public comment. There was none.

The Board provided direction to staff and a resolution will be brought back for consideration at the April 28, 2022 meeting.

**5. Resolution 2022-011: Acknowledging the Review, Receipt and Approval of the Water Supply Assessment for the Beaumont Summit Station Specific Plan Project, and Update to *Will-Serve Letter* for the Proposed Beaumont Summit Station Specific Plan Project (formerly Sunny-Cal Specific Plan) Located South of Cherry Valley Boulevard, North of Brookside Avenue, and East of Interstate 10**

General Manager Jagers reminded the Board of previous discussion and the requirement for a Water Supply Assessment (WSA). The property is an overlier



in the Beaumont Basin and brings its own water right for the conversion of this property, he said. He briefly reviewed project history and indicated that staff believes the WSA accurately represents the situation and states it in a fair and accurate manner. Mr. Swanson added that the final WSA (more than 1,000 pages), signed and stamped by the Engineer, is available on the District’s website as an attachment.

This action is approval of the WSA, Swanson continued. An updated Plan of Service will also be required and will dictate the actual infrastructure. Mr. Jagers explained that the project had been annexed into the District’s service area boundary and had approved sets of potable and non-potable water supply. It is expected to see those migrated over to this property in a way that is sensible for this project while providing the District-required facilities.

Albert A. Webb Associates prepared the WSA with staff, stated Ms. Autumn DeWoody. Once approved, the WSA goes to the California Environmental Quality Act (CEQA) lead agency for use in the Environmental Impact Report and becomes part of the independent evaluation of sufficiency of supply, she noted.

President Williams invited public comment. There was none.

Swanson confirmed for Director Covington that no changes were made from the draft WSA since it came before the Board.

*The Board adopted Resolution 2022-11 Acknowledging the Review, Receipt and Approval of the Water Supply Assessment for the Beaumont Summit Station Specific Plan Project and approved the request for Will-Serve Letter for water service for a term of one year by the following roll-call vote:*

MOVED: Slawson	SECONDED: Hoffman	APPROVED 4-0
AYES:	Covington, Hoffman, Slawson, Williams	
NOES:	None	
ABSTAIN:	None	
ABSENT:	Ramirez	

**6. Requests for Will-Serve Letters for Fairway Canyon Master Plan Development located south of Sorenstam Drive and west of Tukwet Canyon Parkway in the City of Beaumont**

Director of Engineering Mark Swanson provided some history on the action of Argent Developers and the following “sister” tracts. He explained the site and noted that the park is not part of any of the approvals at this time.

**a. TR 31462-20: Request for “Will Serve Letter” related to the Fairway Canyon Master Plan Development located in the City of Beaumont and further identified as Tract No. 31462-20 (a portion of Planning Area 22)**

This tract consists of 67 single-family dwelling units (67 Equivalent Dwelling Units [EDU]) with open space handled under a separate agreement. The applicant is now Meritage Homes. The grading activity was described under Phase IV-B, and the area is prepared and ready to go from an improvement plan perspective.

Director Covington asked if a Will-Serve Letter (WSL) had ever been issued for the greater portion of Fairway Canyon before it was divided. Mr. Swanson explained that staff has been unable to locate a specific WSL that covers all of Fairway Canyon, however, a large area was annexed, and it is believed that the District at some time offered service. Mr. Jagers also pointed out that there are existing agreements that cover four phases of development with the Fairway Canyon Homeowners Association that consider this and went through legal counsel and Board approval in 2005. This is included for consideration and as part of an ongoing agreement, he said.

Director Covington asked if these tracts have already contributed to the infrastructure being installed. Mr. Swanson explained that the developer installed the backbone along Tukwet, and is going through the plan check process for the Oak Valley Parkway easterly extension. They have built a significant amount of infrastructure to support each one of these tracts, he stated.

Director Covington noted the prior discussion about water conservation and Resolution 2014-05 regarding suspension of WSLs under certain conditions. He pointed out the contradiction of asking long-term residents to conserve while issuing WSLs to new housing. He expressed concern about issuing WSLs for large tracts during drought conditions and while considering resolutions to suppress existing residents from using water supplies, and with no inkling as to where the next gallon of water is going to come from with regard to water supplies for the District.

Legal Counsel Markman referred to the provisions of Resolution 2014-05 and noted that the annexation was encouraged and approved. He advised that this is an exception as one of the investment-based opportunities. Also, the developer installed infrastructure which the District will ultimately own, he added.

Director Covington noted that the water conservation resolutions are not yet decided and said it would be more palatable to him to table the WSLs until they are sorted out.

Mr. Swanson advised that in the area currently being graded there are two additional WSLs that are not yet before the Board.

Director Hoffman agreed with Covington and suggested tabling the items.

Jagers advised that tabling these items may generate communication from the developer; Mr. Markman concurred.

Director Slawson reminded that he is against a moratorium on WSLs, but it is not a black-and-white issue. The time to deny WSLs might come, but it is not yet. Things have to get worse, he said. Mr. Markman said he understood the Board's discomfort and advised that a California Water Code Section 350 process may be necessary to instate a moratorium. Mr. Swanson pointed to the WSCP Water Shortage Level 6 in which the Board of Directors would suspend approval of WSLs dependent on conditions.

Swanson advised that the developer indicated that model homes were intended to be constructed in November 2022 and open in January-February 2023,

starting with priority TR 31462-20. Markman pointed out that this is not the District's prediction, it is merely what was communicated to staff.

Director Hoffman asked if approved WSLs could be put on hold in the face of worsening drought and more restrictions, or if once passed, they would stay in place. Mr. Markman explained that once passed by the Board, the WSLs are relied on for lenders, subcontractors and more. Hoffman supported tabling the item.

Director Covington reiterated the suggestion to table the item so the Board could have further discussion and direction about where the drought is heading. The remainder of customers would expect the Board to do what it is elected to do, he said. The message to the development community is not that the Board is not approving WSLs; that is not the case, Covington emphasized. More time is needed to analyze the current situation.

In response to President Williams, Markman said that denial of the WSL means the developer would make another request. He pointed out that the Board is not directing staff to prepare for a Water Code 350 process.

President Williams invited public comment. There was none.

President Williams tabled the four WSLs for future discussion:

- a. TR 31462-20: Request for "Will Serve Letter" related to the Fairway Canyon Master Plan Development located in the City of Beaumont and further identified as Tract No. 31462-20 (a portion of Planning Area 22)
- b. TR 31462-23: Request for "Will Serve Letter" related to the Fairway Canyon Master Plan Development located in the City of Beaumont and further identified as Tract No. 31462-23 (a portion of Planning Area 22)
- c. TR 31462-24: Request for "Will Serve Letter" related to the Fairway Canyon Master Plan Development located in the City of Beaumont and further identified as Tract No. 31462-24 (a portion of Planning Area 22)
- d. TR 31462-25: Request for "Will Serve Letter" related to the Fairway Canyon Master Plan Development located in the City of Beaumont and further identified as Tract No. 31462-25 (a portion of Planning Area 22)

## **7. Consideration of Attendance at Upcoming Events and Authorization of Reimbursement and Per Diem**

General Manager Jagers reviewed the listed events. Directors indicated interest in the following:

- CSDA virtual workshop: Overview of Special District Laws May 10-12 – Williams (to be confirmed)
- Beaumont Chamber of Commerce Breakfast May 13 – Slawson (to be confirmed)

## **8. Reports For Discussion**

- a. Ad Hoc Committees:

Communications Committee: President Williams directed attention to the attachments in the agenda packet. The next meeting is May 9 at 6 p.m.

Sites Reservoir Committee: No report.

Water Re-Use 2x2: Mr. Jagers noted that his meeting with Beaumont City Manager Todd Parton was canceled, as Mr. Parton is no longer with the City.

b. Directors' Reports:

President Williams reported attending the following:

- California Special Districts Association 2022 Special District Leadership Academy San Diego on April 3-6, 2022
- Water 101 Workshop: Basics and Beyond on 4/8

Director Covington reported attending the following:

- Water 101 Workshop: Basics and Beyond on 4/8

Director Hoffman reported attending the following:

- San Geronio Pass Water Agency Board meeting on 4/11

Director Slawson reported attending the following:

- San Geronio Pass Water Agency Board meetings

c. Directors' General Comments: None.

d. General Manager's Report:

Mr. Jagers reported that the City of Beaumont has identified a new paving project that will go out to bid quickly and in advance of the District's ability to address aging pipelines and water service beneath the pavement along 5<sup>th</sup> Street, and on Michigan.

Jagers said he spoke at the City Council meeting on Tuesday regarding the above issue and the cost of the paving moratorium when the District is unable to react to these City projects. He explained to the Council that it creates a significant hardship, and expressed interest in partnering with the City to move in advance of these projects. He also advised the Council of areas around the city in which different standards are being applied from a repair perspective, particularly on city projects.

Jagers advised that on Friday night, the City Council held a special meeting and moved forward with new management, appointing Elizabeth Gibbs as interim city manager on Monday. He said he hoped for new perspective from the City as the District works with them on recycled water and other large issues.

Jaggers estimated that if recycled water had come online, it could have provided an approximate total of up to 15,000 af to date to minimize Basin activity. There is no better time to continue to press forward, he said, and lamented the lost opportunity.

The Master Drainage Plan Line 16 stormwater project is moving forward, and staff is being very proactive. Installation of the pipeline discussed last week is almost complete. Jaggers reported follow up on a customer complaint regarding a blocked driveway.

Director Covington suggested a letter to the interim city manager requesting identification of the real issues underlying the pavement moratorium.

- e. Legal Counsel Report: None.

#### **9. Action List for Future Meetings:**

- Water supply for BCVWD and the region
- Matrix for delivery of recycled water
- Legal Counsel report on changes in Proposition 218
- Legal update on drought conditions in the west
- Maintenance costs at 800-hp well sites

#### **10. Announcements**

*President Williams read the following announcements:*

- Personnel Committee Meeting: Tuesday, Apr. 19, 2022 at 5:30 p.m.
- Engineering Workshop: Thursday, Apr. 28, 2022 at 6 p.m.
- Finance and Audit Committee Meeting: Thursday, May 5, 2022 at 3 p.m.
- Regular Board Meeting: Wednesday, May 11, 2022 at 6 p.m.
- San Geronio Pass Regional Water Alliance: Wednesday, May 25, 2022 at 5 p.m.
- Beaumont Basin Watermaster Committee: Wednesday, Jun. 1, 2022 at 11 a.m.
- Ad Hoc Communications Committee: Monday, May 9 at 6 p.m.
- Engineering Workshop: May 26 at 6 p.m.

#### **11. Recess to Closed Session at 9:15 p.m.**

##### **CONFERENCE WITH LEGAL COUNSEL**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code Section 54956.9

Concerning the potential curtailing of the provision of District water to construction grading for the Fairway Canyon project

One case

#### **Reconvened in Open Session at 9:43 p.m.**

**12. Report on Action Taken During Closed Session**

President Williams stated that no reportable action was taken.

**13. Adjournment**

*President Williams adjourned the meeting at 9:44 p.m.*

ATTEST:

*DRAFT UNTIL APPROVED*

*DRAFT UNTIL APPROVED*

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Director Lona Williams, President  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District

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Director David Hoffman, Secretary  
to the Board of Directors of the  
Beaumont-Cherry Valley Water District



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
May 11, 2022**

Item 2h

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** **Resolution 2022-13: Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same**

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**Staff Recommendation**

Staff recommends that the Board:

Make the following findings so that meetings of the Board will be subject to the special Brown Act requirements for teleconference meetings: (1) the Board has reconsidered the circumstances of the COVID-19 state of emergency; and (2) state and local officials continue to recommend measures to promote social distancing, and

Adopt Resolution 2022-13: Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same.

**Summary**

Staff has placed this item on the agenda so that the Board can continue to meet virtually pursuant to AB 361's special Brown Act requirements for teleconference meetings. These requirements give local public agencies greater flexibility to conduct teleconference meetings when there is a declared state of emergency and either social distancing is mandated or recommended, or an in-person meeting would present imminent risks to the health and safety of attendees.

The Board must make these findings every 30 days to continue the teleconferencing options. The previous Resolution 2022-09 was adopted on April 13, 2022.

The declared emergency is still in effect. Furthermore, the State of California and local officials have recommended measures to promote social distancing. The California Division of Occupational Safety and Health still requires that employers provide training on the effectiveness of physical distancing in the workplace.

**Attachments**

1. Resolution 2022-13: Authorizing Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953(e) and Making Findings and Determinations Regarding the Same

## RESOLUTION 2022-13

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME

**WHEREAS**, the Board is committed to public access and participation in its meetings while balancing the need to conduct public meetings in a manner that reduces the likelihood of exposure to COVID-19 and to support physical distancing during the COVID-19 pandemic; and

**WHEREAS**, all meetings of the Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Board conduct its business; and

**WHEREAS**, pursuant to Assembly Bill 361, signed by Governor Newsom and effective on September 16, 2021, legislative bodies of local agencies may hold public meetings via teleconferencing pursuant to Government Code Section 54953(e), without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency in response to the COVID-19 pandemic (the “Emergency”); and

**WHEREAS**, the Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than six feet apart from others for longer periods of time; and

**WHEREAS**, due to the ongoing COVID-19 pandemic and the need to promote social distancing to reduce the likelihood of exposure to COVID-19, the Board of Directors intends to hold public meetings via teleconferencing pursuant to Government Code Section 54953(e).

**NOW, THEREFORE**, the Board of Directors of Beaumont-Cherry Valley Water District resolves as follows:

Section 1. The Recitals provided above are true and correct and are hereby incorporated by reference.



Section 2. This Board hereby determines that, as a result of the Emergency, meeting in person presents imminent risks to the health or safety of attendees.

Section 3. This Board shall conduct its meetings pursuant to Government Code Section 54953(e).

Section 4. Staff is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. The District has reconsidered the circumstances of the state of emergency and finds that: (i) the state of emergency continues to directly impact the ability of the members to meet safely in person, and (ii) state or local officials continue to impose or recommend measures to promote social distancing.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

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Director Lona Williams, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

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Director David Hoffman, Secretary to the  
Board of Directors of the  
Beaumont-Cherry Valley Water District



**COMMERCIAL LEASE AGREEMENT**  
(C.A.R. Form CL, Revised 12/15)

Date (For reference only): April 7, 2022

A-1 Financial LLC ("Landlord") and  
Beaumont-Cherry Valley Water District ("Tenant") agree as follows:

1. **PROPERTY:** Landlord rents to Tenant and Tenant rents from Landlord, the real property and improvements described as: 851 E. 6th. St Beaumont, Ca. 92223 Suite A-3 ("Premises"), which comprise approximately 14.000 % of the total square footage of rentable space in the entire property. See exhibit \_\_\_\_\_ for a further description of the Premises.

2. **TERM:** The term begins on (date) May 10, 2022 ("Commencement Date"), (Check A or B):

- A. **Lease:** and shall terminate on (date) May 9, 2024 at 12:00  AM  PM. Any holding over after the term of this agreement expires, with Landlord's consent, shall create a month-to-month tenancy that either party may terminate as specified in paragraph 2B. Rent shall be at a rate equal to the rent for the immediately preceding month, payable in advance. All other terms and conditions of this agreement shall remain in full force and effect.
- B. **Month-to-month:** and continues as a month-to-month tenancy. Either party may terminate the tenancy by giving written notice to the other at least 30 days prior to the intended termination date, subject to any applicable laws. Such notice may be given on any date.
- C. **RENEWAL OR EXTENSION TERMS:** See attached addendum Addendum One dated May 10 2019.

3. **BASE RENT:**

A. Tenant agrees to pay Base Rent at the rate of (CHECK ONE ONLY):

- (1) \$ \_\_\_\_\_ per month, for the term of the agreement.
- (2) \$2,317.96 per month, for the first 12 months of the agreement. Commencing with the 13th month, and upon expiration of each 12 months thereafter, rent shall be adjusted according to any increase in the U.S. Consumer Price Index of the Bureau of Labor Statistics of the Department of Labor for All Urban Consumers ("CPI") for Riverside County (the city nearest the location of the Premises), based on the following formula: Base Rent will be multiplied by the most current CPI preceding the first calendar month during which the adjustment is to take effect, and divided by the most recent CPI preceding the Commencement Date. In no event shall any adjusted Base Rent be less than the Base Rent for the month immediately preceding the adjustment. If the CPI is no longer published, then the adjustment to Base Rent shall be based on an alternate index that most closely reflects the CPI.
- (3) \$ \_\_\_\_\_ per month for the period commencing \_\_\_\_\_ and ending \_\_\_\_\_ and \$ \_\_\_\_\_ per month for the period commencing \_\_\_\_\_ and ending \_\_\_\_\_ and \$ \_\_\_\_\_ per month for the period commencing \_\_\_\_\_ and ending \_\_\_\_\_.
- (4) In accordance with the attached rent schedule.
- (5) Other: \_\_\_\_\_.

B. Base Rent is payable in advance on the 1st (or  \_\_\_\_\_) day of each calendar month, and is delinquent on the next day.

C. If the Commencement Date falls on any day other than the first day of the month, Base Rent for the first calendar month shall be prorated based on a 30-day period. If Tenant has paid one full month's Base Rent in advance of Commencement Date, Base Rent for the second calendar month shall be prorated based on a 30-day period.

4. **RENT:**

A. Definition: ("Rent") shall mean all monetary obligations of Tenant to Landlord under the terms of this agreement, except security deposit.

B. Payment: Rent shall be paid to (Name) A-1 Financial P.O. Box 890884, Temecula Ca. 92584 at (address) \_\_\_\_\_, or at any other location specified by Landlord in writing to Tenant.

C. Timing: Base Rent shall be paid as specified in paragraph 3. All other Rent shall be paid within 30 days after Tenant is billed by Landlord.

5. **EARLY POSSESSION:** Tenant is entitled to possession of the Premises on \_\_\_\_\_.

If Tenant is in possession prior to the Commencement Date, during this time (i) Tenant is not obligated to pay Base Rent, and (ii) Tenant  is  is not obligated to pay Rent other than Base Rent. Whether or not Tenant is obligated to pay Rent prior to Commencement Date, Tenant is obligated to comply with all other terms of this agreement.

6. **SECURITY DEPOSIT:**

A. Tenant agrees to pay Landlord \$ \_\_\_\_\_ as a security deposit. Tenant agrees not to hold Broker responsible for its return. (IF CHECKED:)  If Base Rent increases during the term of this agreement, Tenant agrees to increase security deposit by the same proportion as the increase in Base Rent.

B. All or any portion of the security deposit may be used, as reasonably necessary, to: (i) cure Tenant's default in payment of Rent, late charges, non-sufficient funds ("NSF") fees, or other sums due; (ii) repair damage, excluding ordinary wear and tear, caused by Tenant or by a guest or licensee of Tenant; (iii) broom clean the Premises, if necessary, upon termination of tenancy; and (iv) cover any other unfulfilled obligation of Tenant. **SECURITY DEPOSIT SHALL NOT BE USED BY TENANT IN LIEU OF PAYMENT OF LAST MONTH'S RENT.** If all or any portion of the security deposit is used during tenancy, Tenant agrees to reinstate the total security deposit within 5 days after written notice is delivered to Tenant. Within 30 days after Landlord receives possession of the Premises, Landlord shall: (i) furnish Tenant an itemized statement indicating the amount of any security deposit received and the basis for its disposition, and (ii) return any remaining portion of security deposit to Tenant. However, if the Landlord's only claim upon the security deposit is for unpaid Rent, then the remaining portion of the security deposit, after deduction of unpaid Rent, shall be returned within 14 days after the Landlord receives possession.

C. No interest will be paid on security deposit, unless required by local ordinance.

Landlord's Initials ( ) ( )

Tenant's Initials PS ( ) ( )



7. **PAYMENTS:**

	TOTAL DUE	PAYMENT RECEIVED	BALANCE DUE	DUE DATE
A. Rent: From _____ To _____ Date Date	\$ _____	\$ _____	\$ _____	_____
B. Security Deposit .....	\$ _____	\$ _____	\$ _____	_____
C. Other: _____ Category	\$ _____	\$ _____	\$ _____	_____
D. Other: _____ Category	\$ _____	\$ _____	\$ _____	_____
E. Total: .....	\$ _____	\$ _____	\$ _____	_____

8. **PARKING:** Tenant is entitled to \_\_\_\_\_ unreserved and 3 reserved vehicle parking spaces. The right to parking  is  is not included in the Base Rent charged pursuant to paragraph 3. If not included in the Base Rent, the parking rental fee shall be an additional \$ \_\_\_\_\_ per month. Parking space(s) are to be used for parking operable motor vehicles, except for trailers, boats, campers, buses or trucks (other than pick-up trucks). Tenant shall park in assigned space(s) only. Parking space(s) are to be kept clean. Vehicles leaking oil, gas or other motor vehicle fluids shall not be parked in parking spaces or on the Premises. Mechanical work or storage of inoperable vehicles is not allowed in parking space(s) or elsewhere on the Premises. No overnight parking is permitted.

9. **ADDITIONAL STORAGE:** Storage is permitted as follows: Interior of Suite A-3 only. The right to additional storage space  is  is not included in the Base Rent charged pursuant to paragraph 3. If not included in Base Rent, storage space shall be an additional \$ \_\_\_\_\_ per month. Tenant shall store only personal property that Tenant owns, and shall not store property that is claimed by another, or in which another has any right, title, or interest. Tenant shall not store any improperly packaged food or perishable goods, flammable materials, explosives, or other dangerous or hazardous material. Tenant shall pay for, and be responsible for, the clean-up of any contamination caused by Tenant's use of the storage area.

10. **LATE CHARGE; INTEREST; NSF CHECKS:** Tenant acknowledges that either late payment of Rent or issuance of a NSF check may cause Landlord to incur costs and expenses, the exact amount of which are extremely difficult and impractical to determine. These costs may include, but are not limited to, processing, enforcement and accounting expenses, and late charges imposed on Landlord. If any installment of Rent due from Tenant is not received by Landlord within **5 calendar days** after date due, or if a check is returned NSF, Tenant shall pay to Landlord, respectively, **\$20.00 per day** as late charge, plus 10% interest per annum on the delinquent amount and \$25.00 as a NSF fee, any of which shall be deemed additional Rent. Landlord and Tenant agree that these charges represent a fair and reasonable estimate of the costs Landlord may incur by reason of Tenant's late or NSF payment. Any late charge, delinquent interest, or NSF fee due shall be paid with the current installment of Rent. Landlord's acceptance of any late charge or NSF fee shall not constitute a waiver as to any default of Tenant. Landlord's right to collect a Late Charge or NSF fee shall not be deemed an extension of the date Rent is due under paragraph 4, or prevent Landlord from exercising any other rights and remedies under this agreement, and as provided by law.

11. **CONDITION OF PREMISES:** Tenant has examined the Premises and acknowledges that Premise is clean and in operative condition, with the following exceptions: \_\_\_\_\_  
Items listed as exceptions shall be dealt with in the following manner: \_\_\_\_\_

12. **ZONING AND LAND USE:** Tenant accepts the Premises subject to all local, state and federal laws, regulations and ordinances ("Laws"). Landlord makes no representation or warranty that Premises are now or in the future will be suitable for Tenant's use. Tenant has made its own investigation regarding all applicable Laws.

13. **TENANT OPERATING EXPENSES:** Tenant agrees to pay for all utilities and services directly billed to Tenant. Electricity, Cleaning, Alarm, Internet, telephone

14. **PROPERTY OPERATING EXPENSES:**  
A. Tenant agrees to pay its proportionate share of Landlord's estimated monthly property operating expenses, including but not limited to, common area maintenance, consolidated utility and service bills, insurance, and real property taxes, based on the ratio of the square footage of the Premises to the total square footage of the rentable space in the entire property. \_\_\_\_\_

OR B.  (if checked) Paragraph 14 does not apply.

15. **USE:** The Premises are for the sole use as Beaumont Cherry Valley Water District Offices. No other use is permitted without Landlord's prior written consent. If any use by Tenant causes an increase in the premium on Landlord's existing property insurance, Tenant shall pay for the increased cost. Tenant will comply with all Laws affecting its use of the Premises.

16. **RULES/REGULATIONS:** Tenant agrees to comply with all rules and regulations of Landlord (and, if applicable, Owner's Association) that are at any time posted on the Premises or delivered to Tenant. Tenant shall not, and shall ensure that guests and licensees of Tenant do not, disturb, annoy, endanger, or interfere with other tenants of the building or neighbors, or use the Premises for any unlawful purposes, including, but not limited to, using, manufacturing, selling, storing, or transporting illicit drugs or other contraband, or violate any law or ordinance, or committing a waste or nuisance on or about the Premises.

17. **MAINTENANCE:**  
A. Tenant OR  (if checked, Landlord) shall professionally maintain the Premises including heating, air conditioning, electrical, plumbing and water systems, if any, and keep glass, windows and doors in operable and safe condition. Unless Landlord is checked, if Tenant fails to maintain the Premises, Landlord may contract for or perform such maintenance, and charge Tenant for Landlord's cost.  
B. Landlord OR  (if checked, Tenant) shall maintain the roof, foundation, exterior walls, common areas and Air Conditioning (HVAC), Exterior, Electrical, Water Systems

Landlord's Initials ( ) ( )

Tenant's Initials (DWS) ( )



- 18. **ALTERATIONS:** Tenant shall not make any alterations in or about the Premises, including installation of trade fixtures and signs, without Landlord's prior written consent, which shall not be unreasonably withheld. Any alterations to the Premises shall be done according to Law and with required permits. Tenant shall give Landlord advance notice of the commencement date of any planned alteration, so that Landlord, at its option, may post a Notice of Non-Responsibility to prevent potential liens against Landlord's interest in the Premises. Landlord may also require Tenant to provide Landlord with lien releases from any contractor performing work on the Premises.
- 19. **GOVERNMENT IMPOSED ALTERATIONS:** Any alterations required by Law as a result of Tenant's use shall be Tenant's responsibility. Landlord shall be responsible for any other alterations required by Law.
- 20. **ENTRY:** Tenant shall make Premises available to Landlord or Landlord's agent for the purpose of entering to make inspections, necessary or agreed repairs, alterations, or improvements, or to supply necessary or agreed services, or to show Premises to prospective or actual purchasers, tenants, mortgagees, lenders, appraisers, or contractors. Landlord and Tenant agree that 24 hours notice (oral or written) shall be reasonable and sufficient notice. In an emergency, Landlord or Landlord's representative may enter Premises at any time without prior notice.
- 21. **SIGNS:** Tenant authorizes Landlord to place a FOR SALE sign on the Premises at any time, and a FOR LEASE sign on the Premises within the 90 (or  Any time) day period preceding the termination of the agreement.
- 22. **SUBLETTING/ASSIGNMENT:** Tenant shall not sublet or encumber all or any part of Premises, or assign or transfer this agreement or any interest in it, without the prior written consent of Landlord, which shall not be unreasonably withheld. Unless such consent is obtained, any subletting, assignment, transfer, or encumbrance of the Premises, agreement, or tenancy, by voluntary act of Tenant, operation of law, or otherwise, shall be null and void, and, at the option of Landlord, terminate this agreement. Any proposed sublessee, assignee, or transferee shall submit to Landlord an application and credit information for Landlord's approval, and, if approved, sign a separate written agreement with Landlord and Tenant. Landlord's consent to any one sublease, assignment, or transfer, shall not be construed as consent to any subsequent sublease, assignment, or transfer, and does not release Tenant of Tenant's obligation under this agreement.
- 23. **POSSESSION:** If Landlord is unable to deliver possession of Premises on Commencement Date, such date shall be extended to the date on which possession is made available to Tenant. However, the expiration date shall remain the same as specified in paragraph 2. If Landlord is unable to deliver possession within **60** (or  \_\_\_\_\_) **calendar days** after the agreed Commencement Date, Tenant may terminate this agreement by giving written notice to Landlord, and shall be refunded all Rent and security deposit paid.
- 24. **TENANT'S OBLIGATIONS UPON VACATING PREMISES:** Upon termination of agreement, Tenant shall: (i) give Landlord all copies of all keys or opening devices to Premises, including any common areas; (ii) vacate Premises and surrender it to Landlord empty of all persons and personal property; (iii) vacate all parking and storage spaces; (iv) deliver Premises to Landlord in the same condition as referenced in paragraph 11; (v) clean Premises; (vi) give written notice to Landlord of Tenant's forwarding address; and (vii) Contact person name and current phone numbers

All improvements installed by Tenant, with or without Landlord's consent, become the property of Landlord upon termination. Landlord may nevertheless require Tenant to remove any such improvement that did not exist at the time possession was made available to Tenant.

- 25. **BREACH OF CONTRACT/EARLY TERMINATION:** In event Tenant, prior to expiration of this agreement, breaches any obligation in this agreement, abandons the premises, or gives notice of tenant's intent to terminate this tenancy prior to its expiration, in addition to any obligations established by paragraph 24, Tenant shall also be responsible for lost rent, rental commissions, advertising expenses, and painting costs necessary to ready Premises for re-rental. Landlord may also recover from Tenant: (i) the worth, at the time of award, of the unpaid Rent that had been earned at the time of termination; (ii) the worth, at the time of award, of the amount by which the unpaid Rent that would have been earned after expiration until the time of award exceeds the amount of such rental loss the Tenant proves could have been reasonably avoided; and (iii) the worth, at the time of award, of the amount by which the unpaid Rent for the balance of the term after the time of award exceeds the amount of such rental loss that Tenant proves could be reasonably avoided. Landlord may elect to continue the tenancy in effect for so long as Landlord does not terminate Tenant's right to possession, by either written notice of termination of possession or by reletting the Premises to another who takes possession, and Landlord may enforce all Landlord's rights and remedies under this agreement, including the right to recover the Rent as it becomes due.
- 26. **DAMAGE TO PREMISES:** If, by no fault of Tenant, Premises are totally or partially damaged or destroyed by fire, earthquake, accident or other casualty, Landlord shall have the right to restore the Premises by repair or rebuilding. If Landlord elects to repair or rebuild, and is able to complete such restoration within 90 days from the date of damage, subject to the terms of this paragraph, this agreement shall remain in full force and effect. If Landlord is unable to restore the Premises within this time, or if Landlord elects not to restore, then either Landlord or Tenant may terminate this agreement by giving the other written notice. Rent shall be abated as of the date of damage. The abated amount shall be the current monthly Base Rent prorated on a 30-day basis. If this agreement is not terminated, and the damage is not repaired, then Rent shall be reduced based on the extent to which the damage interferes with Tenant's reasonable use of the Premises. If total or partial destruction or damage occurs as a result of an act of Tenant or Tenant's guests, (i) only Landlord shall have the right, at Landlord's sole discretion, within 30 days after such total or partial destruction or damage to treat the lease as terminated by Tenant, and (ii) Landlord shall have the right to recover damages from Tenant.
- 27. **HAZARDOUS MATERIALS:** Tenant shall not use, store, generate, release or dispose of any hazardous material on the Premises or the property of which the Premises are part. However, Tenant is permitted to make use of such materials that are required to be used in the normal course of Tenant's business provided that Tenant complies with all applicable Laws related to the hazardous materials. Tenant is responsible for the cost of removal and remediation, or any clean-up of any contamination caused by Tenant.
- 28. **CONDEMNATION:** If all or part of the Premises is condemned for public use, either party may terminate this agreement as of the date possession is given to the condemner. All condemnation proceeds, exclusive of those allocated by the condemner to Tenant's relocation costs and trade fixtures, belong to Landlord.
- 29. **INSURANCE:** Tenant's personal property, fixtures, equipment, inventory and vehicles are not insured by Landlord against loss or damage due to fire, theft, vandalism, rain, water, criminal or negligent acts of others, or any other cause. Tenant is to carry Tenant's own property insurance to protect Tenant from any such loss. In addition, Tenant shall carry (i) liability insurance in an amount of not less than \$Two Million and (ii) property insurance in an amount sufficient to cover the replacement cost of the property if Tenant is responsible for maintenance under paragraph 17B. Tenant's insurance shall name Landlord and Landlord's agent as additional insured. Tenant, upon Landlord's request, shall provide Landlord with a certificate of insurance establishing Tenant's compliance. Landlord shall maintain liability insurance insuring Landlord, but not Tenant, in an amount of at least \$ Two Million, plus property insurance in an amount sufficient to cover the replacement cost of the property unless Tenant is responsible for maintenance pursuant to paragraph 17B. Tenant is advised to carry business interruption insurance in an amount at least sufficient to cover Tenant's complete rental obligation to Landlord. Landlord is advised to obtain a policy of rental loss insurance. Both Landlord and Tenant release each other, and waive their respective rights to subrogation against each other, for loss or damage covered by insurance.

Landlord's Initials ( ) ( )

Tenant's Initials RS ( ) ( )



- 30. **TENANCY STATEMENT (ESTOPPEL CERTIFICATE):** Tenant shall execute and return a tenancy statement (estoppel certificate), delivered to Tenant by Landlord or Landlord's agent, within 3 days after its receipt. The tenancy statement shall acknowledge that this agreement is unmodified and in full force, or in full force as modified, and state the modifications. Failure to comply with this requirement: (i) shall be deemed Tenant's acknowledgment that the tenancy statement is true and correct, and may be relied upon by a prospective lender or purchaser; and (ii) may be treated by Landlord as a material breach of this agreement. Tenant shall also prepare, execute, and deliver to Landlord any financial statement (which will be held in confidence) reasonably requested by a prospective lender or buyer.
- 31. **LANDLORD'S TRANSFER:** Tenant agrees that the transferee of Landlord's interest shall be substituted as Landlord under this agreement. Landlord will be released of any further obligation to Tenant regarding the security deposit, only if the security deposit is returned to Tenant upon such transfer, or if the security deposit is actually transferred to the transferee. For all other obligations under this agreement, Landlord is released of any further liability to Tenant, upon Landlord's transfer.
- 32. **SUBORDINATION:** This agreement shall be subordinate to all existing liens and, at Landlord's option, the lien of any first deed of trust or first mortgage subsequently placed upon the real property of which the Premises are a part, and to any advances made on the security of the Premises, and to all renewals, modifications, consolidations, replacements, and extensions. However, as to the lien of any deed of trust or mortgage entered into after execution of this agreement, Tenant's right to quiet possession of the Premises shall not be disturbed if Tenant is not in default and so long as Tenant pays the Rent and observes and performs all of the provisions of this agreement, unless this agreement is otherwise terminated pursuant to its terms. If any mortgagee, trustee, or ground lessor elects to have this agreement placed in a security position prior to the lien of a mortgage, deed of trust, or ground lease, and gives written notice to Tenant, this agreement shall be deemed prior to that mortgage, deed of trust, or ground lease, or the date of recording.
- 33. **TENANT REPRESENTATIONS; CREDIT:** Tenant warrants that all statements in Tenant's financial documents and rental application are accurate. Tenant authorizes Landlord and Broker(s) to obtain Tenant's credit report at time of application and periodically during tenancy in connection with approval, modification, or enforcement of this agreement. Landlord may cancel this agreement: (i) before occupancy begins, upon disapproval of the credit report(s); or (ii) at any time, upon discovering that information in Tenant's application is false. A negative credit report reflecting on Tenant's record may be submitted to a credit reporting agency, if Tenant fails to pay Rent or comply with any other obligation under this agreement.
- 34. **CONSTRUCTION-RELATED ACCESSIBILITY STANDARDS:** Landlord states that the Premises  has, or  has not been inspected by a Certified Access Specialist. If so, Landlord states that the Premises  has, or  has not been determined to meet all applicable construction-related accessibility standards pursuant to Civil Code Section 55.53.
- 35. **DISPUTE RESOLUTION:**
  - A. **MEDIATION:** Tenant and Landlord agree to mediate any dispute or claim arising between them out of this agreement, or any resulting transaction, before resorting to arbitration or court action, subject to paragraph 35B(2) below. Paragraphs 35B(2) and (3) apply whether or not the arbitration provision is initiated. Mediation fees, if any, shall be divided equally among the parties involved. If for any dispute or claim to which this paragraph applies, any party commences an action without first attempting to resolve the matter through mediation, or refuses to mediate after a request has been made, then that party shall not be entitled to recover attorney fees, even if they would otherwise be available to that party in any such action. THIS MEDIATION PROVISION APPLIES WHETHER OR NOT THE ARBITRATION PROVISION IS INITIALED.
  - B. **ARBITRATION OF DISPUTES:** (1) Tenant and Landlord agree that any dispute or claim in Law or equity arising between them out of this agreement or any resulting transaction, which is not settled through mediation, shall be decided by neutral, binding arbitration, including and subject to paragraphs 35B(2) and (3) below. The arbitrator shall be a retired judge or justice, or an attorney with at least 5 years of real estate transactional law experience, unless the parties mutually agree to a different arbitrator, who shall render an award in accordance with substantive California Law. In all other respects, the arbitration shall be conducted in accordance with Part III, Title 9 of the California Code of Civil Procedure. Judgment upon the award of the arbitrator(s) may be entered in any court having jurisdiction. The parties shall have the right to discovery in accordance with Code of Civil Procedure §1283.05.  
(2) **EXCLUSIONS FROM MEDIATION AND ARBITRATION:** The following matters are excluded from Mediation and Arbitration hereunder: (i) a judicial or non-judicial foreclosure or other action or proceeding to enforce a deed of trust, mortgage, or installment land sale contract as defined in Civil Code §2985; (ii) an unlawful detainer action; (iii) the filing or enforcement of a mechanic's lien; (iv) any matter that is within the jurisdiction of a probate, small claims, or bankruptcy court; and (v) an action for bodily injury or wrongful death, or for latent or patent defects to which Code of Civil Procedure §337.1 or §337.15 applies. The filing of a court action to enable the recording of a notice of pending action, for order of attachment, receivership, injunction, or other provisional remedies, shall not constitute a violation of the mediation and arbitration provisions.  
(3) **BROKERS:** Tenant and Landlord agree to mediate and arbitrate disputes or claims involving either or both Brokers, provided either or both Brokers shall have agreed to such mediation or arbitration, prior to, or within a reasonable time after the dispute or claim is presented to Brokers. Any election by either or both Brokers to participate in mediation or arbitration shall not result in Brokers being deemed parties to the agreement.  
**"NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE 'ARBITRATION OF DISPUTES' PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE 'ARBITRATION OF DISPUTES' PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY."**  
**"WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE 'ARBITRATION OF DISPUTES' PROVISION TO NEUTRAL ARBITRATION."**

Landlord's Initials \_\_\_\_\_ / \_\_\_\_\_ Tenant's Initials DWS

Landlord's Initials (\_\_\_\_) (\_\_\_\_)

Tenant's Initials DWS (\_\_\_\_)



Premises: 851 E. 6th. St Beaumont, Ca. 92223 Suite A-3

Date April 7, 2022

**36. JOINT AND INDIVIDUAL OBLIGATIONS:** If there is more than one Tenant, each one shall be individually and completely responsible for the performance of all obligations of Tenant under this agreement, jointly with every other Tenant, and individually, whether or not in possession.

**37. NOTICE:** Notices may be served by mail, facsimile, or courier at the following address or location, or at any other location subsequently designated:

Landlord: A-1 Financial P.O. Box 890884, Temecula Ca. 92584

Tenant: Beaumont-Cherry Valley Water District

Notice is deemed effective upon the earliest of the following: (i) personal receipt by either party or their agent; (ii) written acknowledgement of notice; or (iii) 5 days after mailing notice to such location by first class mail, postage pre-paid.

**38. WAIVER:** The waiver of any breach shall not be construed as a continuing waiver of the same breach or a waiver of any subsequent breach.

**39. INDEMNIFICATION:** Tenant shall indemnify, defend and hold Landlord harmless from all claims, disputes, litigation, judgments and attorney fees arising out of Tenant's use of the Premises.

**40. OTHER TERMS AND CONDITIONS/SUPPLEMENTS:** 1. Any structural alterations must be done by a licensed contractor and a plot plan submitted to the Landlord for approval prior to the commencement of work. 2. Anything permanently attached to walls and removed by the tenant shall be required to be patched and painted. 3. Tenant shall maintain interior items (Leasehold improvements) including plumbing, electrical, and pest control (see item 17-A) 4. Any needed repairs stemming from or caused by the tenant (As determined in writing by the vendor) shall be billed to Tenant and payable with the following month's rent. 5. A security deposit may be used to restore the unit to rentable condition if required. 6. Any re-key by Tenant shall be at Tenants expense and must be re-keyed to master and a copy provided to the Landlord. Call for our locksmith's number. 7. Signage is Tenants responsibility and must conform in size and color to all building signs. Black lettering on monument and Brown and Cream on all building markees. Any additional signage requires prior Landlords consent and City approval if applicable. 8. If suite alarm is desired and is strongly recommended, please contact Pacific Alarm at (951)-845-1666. Robert can meet with you for a free estimate of the cost. The building is alarmed only for HVAC units and each unit for fire. The general price is approximately \$40.00 per month to give you an idea of the cost of individual alarms. 9. The contents of your suite are not covered by our insurance. It is recommended to add this coverage to the two million dollars of liability which is mandatory with A-1 Financial LLC to be an additional loss payee. The proof of insurance is due within 45 days of lease renewal or beginning of occupancy. 11. Plans for proposed Tenant build-out to be given to Landlord for approval prior to the start of any construction.

The following ATTACHED supplements/exhibits are incorporated in this agreement:  Option Agreement (C.A.R. Form OA)

**41. ATTORNEY FEES:** In any action or proceeding arising out of this agreement, the prevailing party between Landlord and Tenant shall be entitled to reasonable attorney fees and costs from the non-prevailing Landlord or Tenant, except as provided in paragraph 35A.

**42. ENTIRE CONTRACT:** Time is of the essence. All prior agreements between Landlord and Tenant are incorporated in this agreement, which constitutes the entire contract. It is intended as a final expression of the parties' agreement, and may not be contradicted by evidence of any prior agreement or contemporaneous oral agreement. The parties further intend that this agreement constitutes the complete and exclusive statement of its terms, and that no extrinsic evidence whatsoever may be introduced in any judicial or other proceeding, if any, involving this agreement. Any provision of this agreement that is held to be invalid shall not affect the validity or enforceability of any other provision in this agreement. This agreement shall be binding upon, and inure to the benefit of, the heirs, assignees and successors to the parties.

**43. BROKERAGE:** Landlord and Tenant shall each pay to Broker(s) the fee agreed to, if any, in a separate written agreement. Neither Tenant nor Landlord has utilized the services of, or for any other reason owes compensation to, a licensed real estate broker (individual or corporate), agent, finder, or other entity, other than as named in this agreement, in connection with any act relating to the Premises, including, but not limited to, inquiries, introductions, consultations, and negotiations leading to this agreement. Tenant and Landlord each agree to indemnify, defend and hold harmless the other, and the Brokers specified herein, and their agents, from and against any costs, expenses, or liability for compensation claimed inconsistent with the warranty and representation in this paragraph 43.

**44. AGENCY CONFIRMATION:** The following agency relationships are hereby confirmed for this transaction:

Listing Agent: \_\_\_\_\_ (Print Firm Name) is the agent of (check one):

the Landlord exclusively; or  both the Tenant and Landlord.

Selling Agent: \_\_\_\_\_ (Print Firm Name) (if not same as Listing Agent) is the agent of (check one):

the Tenant exclusively; or  the Landlord exclusively; or  both the Tenant and Landlord.

Real Estate Brokers are not parties to the agreement between Tenant and Landlord.

Landlord's Initials ( ) ( )

Tenant's Initials ( DT ) ( )

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COMMERCIAL LEASE AGREEMENT (CL PAGE 5 OF 6)

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Beaumont-Cherry





COMMERCIAL LEASE CONSTRUCTION ACCESSIBILITY ADDENDUM (C.A.R. Form CLCA 11/16)

This is an addendum to the Commercial Lease Agreement (lease) dated April 7, 2022 in which A-1 Financial LLC is referred to as "Landlord" and Beaumont-Cherry Valley Water District is referred to as "Tenant". Paragraph 34 of the lease is deleted in its entirety and replaced by the following:

Paragraph 34. CONSTRUCTION-RELATED ACCESSIBILITY STANDARDS:

- A. Landlord states that the Premises have, or have not been inspected by a Certified Access Specialist (CASp).
B. If the Premises have been inspected by a CASp, (1) Landlord states that the Premises have, or have not been determined to meet all applicable construction-related accessibility standards pursuant to Civil Code Section 55.53. Landlord shall provide Tenant a copy of the report prepared by the CASp (and, if applicable a copy of the disability access inspection certificate) as specified below. (2) (i) Tenant has received a copy of the report at least 48 hours before executing this lease. Tenant has no right to rescind the lease based upon information contained in the report. OR (ii) Tenant has received a copy of the report prior to, but no more than, 48 hours before, executing this lease. Based upon information contained in the report, Tenant has 72 hours after execution of this lease to rescind it. OR (iii) Tenant has not received a copy of the report prepared by the CASp prior to execution of this lease. Landlord shall provide a copy of the report prepared by the CASp (and, if applicable a copy of the disability access inspection certificate) within 7 days after execution of this lease. Tenant shall have up to 3 days thereafter to rescind the lease based upon information in the report.
C. If the Premises have not been inspected by a CASp or a certificate was not issued by the CASp who conducted the inspection, "A Certified Access Specialist (CASp) can inspect the subject premises and determine whether the subject premises comply with all of the applicable construction-related accessibility standards under state law. Although state law does not require a CASp inspection of the subject premises, the commercial property owner or lessor may not prohibit the lessee or tenant from obtaining a CASp inspection of the subject premises for the occupancy or potential occupancy of the lessee or tenant, if requested by the lessee or tenant. The parties shall mutually agree on the arrangements for the time and manner of the CASp inspection, the payment of the fee for the CASp inspection, and the cost of making any repairs necessary to correct violations of construction-related accessibility standards within the premises."
D. Notwithstanding anything to the contrary in paragraph 17, 18, 19 or elsewhere in the lease, any repairs or modifications necessary to correct violations of construction related accessibility standards are the responsibility of Tenant, [X] Landlord, [ ] Other

Tenant (Signature) [Signature] Date 5/2/2022
Tenant (Print name) Beaumont-Cherry Valley Water District
Tenant (Signature) Date
Tenant (Print name)
Landlord (Signature) Date
Landlord (Print name) A-1 Financial LLC
Landlord (Signature) Date
Landlord (Print name)

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Premises: 851 E. 6th. St Beaumont, Ca. 92223 Suite A-3

Date April 7, 2022

Landlord and Tenant acknowledge and agree that Brokers: (i) do not guarantee the condition of the Premises; (ii) cannot verify representations made by others; (iii) will not verify zoning and land use restrictions; (iv) cannot provide legal or tax advice; (v) will not provide other advice or information that exceeds the knowledge, education or experience required to obtain a real estate license. Furthermore, if Brokers are not also acting as Landlord in this agreement, Brokers: (vi) do not decide what rental rate a Tenant should pay or Landlord should accept; and (vii) do not decide upon the length or other terms of tenancy. Landlord and Tenant agree that they will seek legal, tax, insurance, and other desired assistance from appropriate professionals.

Tenant [Signature] Date 5/2/2022

Beaumont-Cherry Valley Water District

(Print name)

Address 560 Magnolia Ave. City Beaumont State Ca. Zip 92223

Tenant \_\_\_\_\_ Date \_\_\_\_\_

(Print name)

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**GUARANTEE:** In consideration of the execution of this Agreement by and between Landlord and Tenant and for valuable consideration, receipt of which is hereby acknowledged, the undersigned ("Guarantor") does hereby: (i) guarantee unconditionally to Landlord and Landlord's agents, successors and assigns, the prompt payment of Rent or other sums that become due pursuant to this Agreement, including any and all court costs and attorney fees included in enforcing the Agreement; (ii) consent to any changes, modifications or alterations of any term in this Agreement agreed to by Landlord and Tenant; and (iii) waive any right to require Landlord and/or Landlord's agents to proceed against Tenant for any default occurring under this Agreement before seeking to enforce this Guarantee.

Guarantor (Print Name) Beaumont-Cherry Valley Water District

Guarantor \_\_\_\_\_ Date \_\_\_\_\_

Address 560 Magnolia Ave City Beaumont State Ca. Zip 92223

Telephone (951)845-9581 Fax (951)845-0159 E-mail dan.jaggars@bcvwd.org

Landlord agrees to rent the Premises on the above terms and conditions.

Landlord \_\_\_\_\_ Date \_\_\_\_\_

(owner or agent with authority to enter into this agreement) A-1 Financial LLC

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Landlord \_\_\_\_\_ Date \_\_\_\_\_

(owner or agent with authority to enter into this agreement)

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Agency relationships are confirmed as above. Real estate brokers who are not also Landlord in this agreement are not a party to the agreement between Landlord and Tenant.

Real Estate Broker (Leasing Firm) \_\_\_\_\_ DRE Lic. # \_\_\_\_\_

By (Agent) \_\_\_\_\_ DRE Lic. # \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

Real Estate Broker (Listing Firm) \_\_\_\_\_ DRE Lic. # \_\_\_\_\_

By (Agent) \_\_\_\_\_ DRE Lic. # \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

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COMMERCIAL LEASE AGREEMENT (CL PAGE 6 OF 6)





**Beaumont-Cherry Valley Water District**

**Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency**

**Table 1 - Inactivation Fee Revenue Loss for Non-Payment Customers as of 03/31/2022**

Remaining Number of Non-Shutoffs (would have been shut off due to non-payment)

Timeframe	Quantity of Non-Payment Customers	Inactivation Fee for Non-Payment	Loss of Revenue (Qty x Fee)	Loss of Revenue Cumulative to Date
3/27/20 to 3/31/20	0	\$ 50.00	\$ -	
4/01/20 to 4/30/20	139	\$ 50.00	\$ 6,950.00	\$ 6,950.00
5/01/20 to 5/31/20	77	\$ 50.00	\$ 3,850.00	\$ 10,800.00
6/01/20 to 6/30/20	53	\$ 50.00	\$ 2,650.00	\$ 13,450.00
7/01/20 to 7/31/20	252	\$ 50.00	\$ 12,600.00	\$ 26,050.00
8/01/20 to 8/31/20	171	\$ 50.00	\$ 8,550.00	\$ 34,600.00
9/01/20 to 9/30/20	182	\$ 50.00	\$ 9,100.00	\$ 43,700.00
10/01/20 to 10/31/20	158	\$ 50.00	\$ 7,900.00	\$ 51,600.00
11/01/20 to 11/30/20	216	\$ 50.00	\$ 10,800.00	\$ 62,400.00
12/01/20 to 12/31/20	971	\$ 50.00	\$ 48,550.00	\$ 110,950.00
01/01/21 to 01/31/21	950	\$ 50.00	\$ 47,500.00	\$ 158,450.00
02/01/21 to 02/28/21	442	\$ 50.00	\$ 22,100.00	\$ 180,550.00
03/01/21 to 03/31/21	498	\$ 50.00	\$ 24,900.00	\$ 205,450.00
04/01/21 to 04/30/21	225	\$ 50.00	\$ 11,250.00	\$ 216,700.00
05/01/21 to 05/31/21	227	\$ 50.00	\$ 11,350.00	\$ 228,050.00
06/01/21 to 06/30/21	718	\$ 50.00	\$ 35,900.00	\$ 263,950.00
07/01/21 to 07/31/21	361	\$ 50.00	\$ 18,050.00	\$ 282,000.00
08/01/21 to 08/31/21	295	\$ 50.00	\$ 14,750.00	\$ 296,750.00
09/01/21 to 09/30/21	213	\$ 50.00	\$ 10,650.00	\$ 307,400.00
10/01/21 to 10/31/21	816	\$ 50.00	\$ 40,800.00	\$ 348,200.00
11/01/21 to 11/30/21	479	\$ 50.00	\$ 23,950.00	\$ 372,150.00
12/01/21 to 12/31/21	316	\$ 50.00	\$ 15,800.00	\$ 387,950.00
01/01/22 to 01/31/22	198	\$ 50.00	\$ 9,900.00	\$ 397,850.00
02/01/22 to 02/28/22	337	\$ 50.00	\$ 16,850.00	\$ 414,700.00
03/01/22 to 03/31/22	222	\$ 50.00	\$ 11,100.00	
<b>Total Non-Payment Customers</b>	<b>8516</b>		<b>\$ 425,800.00</b>	

*Inactivation Fees Assessed Again Beginning March 2022*

*Cumulative Revenue Lost Totaled \$414,700*

**Beaumont-Cherry Valley Water District**

**Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency**

**Table 2**

**Total Customer Payment Plans Requested of 3/31/2022**

Timeframe	# Plans Issued	Payment Plan Amounts Issued	Remaining balance
As of 03/31/20	5	\$ 5,080.46	\$ -
4/01/20 to 4/30/20	3	\$ 573.77	\$ -
5/01/20 to 5/31/20	0	\$ -	\$ -
6/01/20 to 6/30/20	13	\$ 2,370.80	\$ -
7/01/20 to 7/31/20	14	\$ 29,506.27	\$ -
8/01/20 to 8/31/20	6	\$ 35,094.09	\$ -
9/01/20 to 9/30/20	10	\$ 1,885.52	\$ 254.48
10/01/20 to 10/31/20	12	\$ 2,756.06	\$ -
11/01/20 to 11/30/20	6	\$ 1,525.49	\$ -
12/01/20 to 12/31/20	12	\$ 3,067.60	\$ -
01/01/21 to 01/31/21	9	\$ 2,912.20	\$ -
02/01/21 to 02/28/21	3	\$ 2,411.74	\$ -
03/01/21 to 03/31/21	2	\$ 5,917.36	\$ -
04/01/21 to 04/30/21	3	\$ 607.48	\$ -
05/01/21 to 05/31/21	4	\$ 2,154.00	\$ -
06/01/21 to 06/30/21	10	\$ 2,783.05	\$ -
07/01/21 to 07/31/21	9	\$ 5,371.39	\$ -
08/01/21 to 08/31/21	17	\$ 6,268.75	\$ -
09/01/21 to 09/30/21	22	\$ 6,728.67	\$ -
10/01/21 to 10/31/21	6	\$ 1,105.13	\$ -
11/01/21 to 11/30/21	13	\$ 5,306.82	\$ -
12/01/21 to 12/31/21	15	\$ 9,330.33	\$ -
01/01/22 to 01/31/22	22	\$ 11,412.71	\$ 577.63
02/01/22 to 02/28/22	5	\$ 2,290.00	\$ 319.92
03/01/22 to 03/31/22	32	\$ 22,069.06	\$ -
<b>Total Payment Plan Requests</b>	<b>253</b>	<b>\$ 168,528.75</b>	<b>\$ 1,152.03</b>

Payment plans that were requested from March 2020 to the date of the report SB 998 (effective 2/1/2020) gives the customers 60 days after delinquency to pay

**Table 3**

**UB Accounts Receivable Aging as of 03/31/2022**

Status	# of accounts	% of Total	Amount due	% of Balance
Bal Over 120	508	3.99%	\$ 79,629.06	5.47%
Bal 90 to 120	166	1.30%	\$ 93,760.52	6.44%
Bal 60 to 90	6	0.05%	\$ 250.02	0.02%
Bal 30 to 60	2,271	17.84%	\$ 237,019.31	16.29%
Current	9,782	76.82%	\$ 1,044,206.17	71.77%
	<b>12,733</b>		<b>\$ 1,454,865.08</b>	

**UB Accounts Receivable Aging as of 02/28/2022**

Status	# of accounts	% of Total	Amount due	% of Balance
Bal Over 120	373	2.93%	\$ 144,960.29	9.96%
Bal 90 to 120	723	5.68%	\$ 200,556.00	13.79%
Bal 60 to 90	188	1.48%	\$ 39,118.00	2.69%
Bal 30 to 60	478	3.75%	\$ 157,222.16	10.81%
Current	11,053	86.81%	\$ 1,110,051.22	76.30%
	<b>12,815</b>		<b>\$ 1,651,907.67</b>	

**Beaumont-Cherry Valley Water District**

**DRAFT**

**Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency**

**Table 4  
Statement of Cash Flows (unaudited)  
For the Four Months\* Ended April, 2022 and April 30, 2021**

<b>YEAR-TO-DATE CASH &amp; INVESTMENT FLOWS</b>	<b>April 28, 2022</b>	<b>April 30, 2021</b>	<i>For reference only</i> <b>April 30, 2020</b>	<b>\$ Change 2022 to 2021</b>
<b>Cash flows from operating activities:</b>				
Receipts from customers	\$ 4,573,882	\$ 4,342,160	\$ 3,371,022	\$ 231,722
Receipts from developers (unrestricted)	975,424	380,624	288,571	594,800
Other receipts	87,675	147,085	137,193	(59,411)
Payments to employees for salaries and benefits	(1,648,112)	(1,506,474)	(1,448,179)	(141,638)
Payments to suppliers and service providers	(2,745,787)	(1,707,270)	(2,147,647)	(1,038,517) (1)
Receipt (refund) of customer deposits	19,433	(79,074)	(12,529)	98,506
Net cash (used) provided (for) by operating activities	<u>1,262,514</u>	<u>1,577,051</u>	<u>188,431</u>	<u>(314,538)</u>
<b>Cash flows from capital and related financing activities:</b>				
Acquisition and construction of capital assets	(2,132,311)	(733,672)	(613,025)	\$ (1,398,640)
Proceeds from capital grant	187,279	-	-	187,279
Cash received from sale of capital assets	-	-	-	-
Capital contributions	301,626	5,157,441	757,470	(4,855,815)
Capital contribution to other government	-	-	-	-
Net cash provided by capital and related financing activities	<u>(1,643,406)</u>	<u>4,423,770</u>	<u>144,445</u>	<u>(6,067,176)</u>
<b>Cash flows from investing activities:</b>				
Interest received	30,028	114,993	520,812	(84,965)
Net cash provided by investing activities	<u>30,028</u>	<u>114,993</u>	<u>520,812</u>	<u>(84,965)</u>
Net increase (decrease) in cash and cash equivalents	(350,865)	6,115,814	853,688	(6,466,678)
<b>Cash and investments, beginning of year</b>	<u>78,075,112</u>	<u>66,512,951</u>	<u>61,365,441</u>	<u>11,562,161</u>
<b>Cash and investments, April 28,30,30</b>	<u>\$ 77,724,248</u>	<u>\$ 72,628,765</u>	<u>\$ 62,219,129</u>	<u>\$ 5,095,483</u>

**Beaumont-Cherry Valley Water District**

**DRAFT**

**Review of Revenues Loss, Accounts Receivable Balances, and Cash Flows as related to the ongoing COVID-19 Local State of Emergency**

**Table 4  
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<b>YEAR-TO-DATE CASH &amp; INVESTMENT FLOWS</b>			<i>For reference only</i>	<b>\$ Change</b>
	<u>April 28, 2022</u>	<u>April 30, 2021</u>	<u>April 30, 2020</u>	<u>2022 to 2021</u>
<b>CASH &amp; INVESTMENT BALANCE CLASSIFICATIONS</b>				
<b>Restricted Cash and Investments</b>				
Restricted Cash and Investments - Capital Commitments	\$ 40,160,465	\$ 38,364,217	\$ 30,348,991	\$ 1,796,248
Restricted Cash and Investments - Funds Held for Others	4,185,270	3,951,700	3,125,532	233,569
<b>Total Restricted Cash and Investments</b>	<u>\$ 44,345,735</u>	<u>\$ 42,315,917</u>	<u>\$ 33,474,523</u>	<u>\$ 2,029,817</u>
<b>Unrestricted Cash and Investments</b>				
Designated:				
Reserve for Operations (3 months of budg. op. expenses)	\$ 4,660,200	\$ 4,693,254	\$ 3,583,299	\$ (33,054)
Emergency Reserve (15% of budg. op. expenses)	\$ 2,796,120	2,815,953	2,149,979	(19,833)
Capital Replacement Reserve	25,922,193	22,803,641	23,011,328	3,118,552
<b>Total Unrestricted Cash and Investments</b>	<u>\$ 33,378,513</u>	<u>\$ 30,312,848</u>	<u>\$ 28,744,606</u>	<u>\$ 3,065,665</u>
<b>Total Cash and Investments</b>	<u>\$ 77,724,248</u>	<u>\$ 72,628,765</u>	<u>\$ 62,219,129</u>	<u>\$ 5,095,483</u>

**NOTES:**

\*Report prepared on 4/30/2022, excludes de minimis April 2022 activity

(1) The District made payments totaling \$600K for imported water and two months' of electric costs, as well as ongoing annual prepayments



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
May 11, 2022**

Item 3

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Grant Activity Quarterly Update

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**Staff Recommendation**

No recommendation, for informational purposes only.

**Background**

The District entered into a contract with Townsend Public Affairs for grant writing services in 2018, which expired October 31, 2021. The District continued internal efforts to research and submit request for funding, while a Request for Proposals for grant writing services was in place. At the April 13, 2022 Regular Board meeting, the Board of Directors approved the recommended selection of Townsend Public Affairs for an initial one-year agreement with three optional one-year extensions based on annual Board approval.

The following is a list of funding opportunities that have been awarded to the District to-date.

**Grant Funding Updates**

- ***BOR WaterSMART: Water and Energy Efficiency Grant***
  - ***Project:*** Automatic Meter Read/Advanced Metering Infrastructure Deployment Program
  - ***Award:*** \$1.5 million; cost-sharing grant of at least 50%
  - ***Estimated Project Cost:*** \$5.51 million
  - ***Project Timeframe:*** September 2019 – October 2022
  - ***Summary:*** Implementation of the conversion from manual read meters to radio read meters. The project would replace all of the District's 19,000+ water meters with real-time automatic read technology, saving staff time, reducing errors, and eliminating wear and tear on District vehicles, while offering a new and informational data set for detecting leaks within the distribution system.
  - ***Status:*** The project has seen continued delays in the receipt for materials, specifically the transmitting devices that are required for the automatic reads as well as a delay in the installation of the AMI repeater equipment, which would collect said electronic reads. Staff has issued a purchase order for the remaining AMR materials to ensure devices are delivered as soon as they are available from the vendor. Staff also has in place a purchase order for the AMI equipment to be delivered once available, but the supplier anticipates staffing shortages among installers. The District is working on internal plans to continue moving the project forward as well as documenting the delays should a project extension be required.



**Table 1 Current Anticipated Cost Allocation**

Item	Description	Cost
1	BOR WaterSMART Grant Funds	\$ 1,500,000
2	BCVWD Matching Funds	\$ 1,500,000
3	Additional BCVWD Funds or Future Grant Opportunities	\$ 2,510,000
<b>Total Estimated Project Cost</b>		<b>\$ 5,510,000</b>

**Table 2 - Status of Meters upgraded to be AMI compatible**

Period	Total number of installed meters	New Installs	Replaced : Maintenance	Replaced : AMR/AMI Project	Total AMI capable meters	% converted to AMI
Beginning Count Sept 2019	19,154				4,957	26%
Oct 2019-Dec 2019	19,349	195	176	55	5,383	28%
Jan 2020-Mar 2020	19,456	107	104	54	5,648	29%
Apr 2020-Jun 2020	19,548	92	149	0	5,889	30%
Jul 2020-Sept 2020	19,660	112	51	190	6,242	32%
Oct 2020-Dec 2020	19,690	30	10	898	7,180	36%
Jan 2021-Mar 2021	19,743	53	4	1,994	9,231	47%
Apr 2021-Jun 2021	19,840	97	15	1,597	10,940	55%
Jul 2021-Sept 2021	19,995	155	8	1,870	12,973	65%
Oct 2021- Dec 2021	20,095	107	11	876	13,967	70%
Jan 2022-Mar 2022	20,291	194	0	1,829	15,990	79%



**Table 3 - Submitted expenses to BOR for 50% matching reimbursement**

Period	Expenditures specific to project	BOR 50% cost share	Allowable administrative costs <sup>(1)</sup>	Total Maximum Federal contribution <sup>(2)</sup>
Oct 2019-Sept 2020	\$71,811	\$35,905	\$46	\$35,951
Oct 2020-Dec 2020	\$302,439	\$151,219	\$21	\$151,240
Jan 2021-Mar 2021	\$528,665	\$264,332	\$96	\$264,428
Apr 2021-Jun 2021	\$427,098	\$213,549	\$35	\$213,584
Jul 2021-Sept 2021	\$564,757	\$282,378	\$10	\$282,388
Oct 2021- Dec 2021	\$247,968	\$123,984	\$1	\$123,985
Jan 2022-Mar 2022	\$475,108	\$237,554	\$2	\$237,556
<b>Total Allowable</b>	<b>\$2,142,738</b>	<b>\$1,071,367</b>	<b>\$209</b>	<b>\$1,071,576</b>

- (1) Administrative costs associated with the project are considered by the BOR as de-minimis as they are 50% of 10% of the cost base
- (2) Per the agreement with the BOR, 27% of funds can be requested concurrent to the expenses incurred up to a maximum of 50% of the total project costs

**Table 4 - Anticipated Costs for January-March 2022**

Item	Description	Cost
1	Materials <sup>(3)</sup> (meters, transmitters, registers, supplies)	\$ 615,000
2	Labor Costs (includes deminimis)	\$ 65,000
3	IT Tower and Readers	\$ 295,000
<b>Total Estimated Project Costs</b>		<b>\$ 975,000</b>

- (3) Previously approved materials listed in the Grant agreement are supplied from Inland Water Works Supply Company.

- **JPIA Risk Control Program**

- **Project:** Communication Upgrade Project (general application)
- **Award:** \$10,000
- **Estimated Project Cost:** \$30,997.64
- **Project Completed:** March 2022
- **Summary:** The grant program promotes the implementation of best practices that will prevent or mitigate losses in the JPIA's Liability, Property, and Worker's Compensation Programs. The Apple Fire of 2020 highlighted cell phone communication challenges in remote areas for staff addressing an emergency situation and limitations on truck-to-truck radio communications. The same challenges were seen during the El Dorado Fire in September of 2020. In each scenario, more reliable equipment would have allowed staff to communicate reliably with each other as well as with emergency services. The grant is intended to be used for the initial purchase of handheld radios that will be deployed to all field staff, management, HR and the District main office. Redundancy and additional radios will be ongoing, as needed.



- **Status:** The project is complete with the initial purchases of equipment including radios, accessories, cables, repeaters and antennas. Any additional purchases will be independent of the grant program and will be based on District growth or need.
- **California Water and Wastewater Arrearage Payment Program, funded by the State Water Resources Control Board using federal ARPA funds**
  - **Project:** Outstanding Utility Billing charges from March 3, 2020 to June 15, 2021
  - **Award:** \$165,760.55
  - **Applied:** \$123,243.56
  - **Project Completed:** April 2022
  - **Summary:** The program provided funds for community water systems that have accrued residential and commercial customer arrearages during the COVID-19 pandemic relief period of March 3, 2020 to June 15, 2021. The District evaluated all accounts with balances over 60 days past due and identified 729 accounts that met the program criteria. The District was awarded the full request amount of \$165,760.55, which was received January 25, 2022. As there was almost a two-month gap between the application and award, 251 accounts paid their balances in full, with others paying partial balances or entering into payment plans. Excess credits for accounts that paid in full, or partially, during the grant review period was credited back to the State Water Resources Control Board in April 2022.
  - **Status:** The project is complete. The final reporting requirements, as well as refund check to the State of California, have been issued.

**Table 5 - Water Arrearages Payment Program**

Request as of December 2, 2021 <sup>(1)</sup>			Eligible as of January 25, 2022			Returned to the State		
Request	Qty	Amount	Request	Qty	Amount		Qty	Amount
Past Due Residential	713	\$ 151,912.37	Past Due Residential	469	\$ 112,505.52	Residential	244	\$ 39,406.85
Past Due Commercial	16	\$ 9,020.20	Past Due Commercial	9	\$ 8,349.04	Commercial	7	\$ 671.16
Admin Costs		\$ 4,827.98	Admin Costs		\$ 2,389.00	Admin Costs		\$ 2,438.98
<b>Total Awarded \$ 165,760.55</b>			<b>Total Applied \$ 123,243.56</b>			<b>Total Returned \$ 42,516.99</b>		

<sup>(1)</sup> Costs ineligible include those before March 3, 2020, those after June 15, 2021, deposits, penalties, and bank fees associated with returned payments.

- **County of Riverside: Lift to Rise**
  - **Project:** Outstanding Utility Billing charges (general application)
  - **Award:** Varies, based on tenant requests directly to County of Riverside
  - **Estimated Project Cost:** None to District
  - **Project Timeframe:** Estimated December 2022
  - **Summary:** The County of Riverside partnered with SoCal United Way to fund the Lift to Rise program, which offers emergency rental assistance, including utilities, to eligible renters. Renters individually request assistance through the program, which confirms the requests with the District on a case-by-case basis. The management, approval process, and reporting are all independent from the District. If a payment is approved by the program administrators, a payment is directly issued to the District on behalf of the customer, and applied. Beginning January 2022, due to additional funding to the program, renters can also request 3 additional months of services to be funded on their behalf.





- **Status:** The District responds to all requests within 48 hours and has seen 100% of the submitted requests funded within 30 days.

**Table 7 - Emergency Rental Assistance Program Requests and Status**

Year	Amount Requested	Submitted	Approved	Approved Amount <sup>(1)</sup>	Remit Confirmed	Batch	Received
2021	444.06	5/27/2021	5/31/2021	444.06	6/9/2021	00223.06.2021	444.06
2021	105.63	6/24/2021	6/28/2021	105.63	7/7/2021	00156.07.2021	105.63
2021	4,709.91	6/24/2021	6/28/2021	4,623.65	7/7/2021	00156.07.2021	4,623.65
2021	510.48	6/24/2021	6/28/2021	510.48	7/7/2021	00156.07.2021	510.48
2021	735.05	7/22/2021	8/2/2021	735.05	8/4/2021	00158.08.2021	735.05
2021	1,609.41	8/24/2021	9/15/2021	1,609.41	9/23/2021	00204.09.2021	1,609.41
2021	331.73	9/21/2021	9/30/2021	331.73	10/6/2021	00120.10.2021	331.73
2022	328.65	1/26/2022	2/2/2022	715.92	2/24/2022	00109.03.2022	715.92
2022	368.8	1/26/2022	2/2/2022	953.20	2/24/2022	00109.03.2022	953.20
2022	876.25	1/26/2022	2/2/2022	1,590.70	2/24/2022	00109.03.2022	1,590.70
2022	0	1/26/2022	2/2/2022	364.65	2/24/2022	00109.03.2022	364.65
2022	308.2	2/22/2022	2/23/2022	710.65	3/1/2022	00143.03.2022	710.65
2022	32.53	3/10/2022	3/11/2022	203.52	3/23/2022	00212.03.2022	203.52
2022	34.41	3/21/2022	3/24/2022	258.06	4/19/2022	00173.04.2022	258.06
2022	294.87	3/21/2022	3/24/2022	433.98	4/19/2022	00173.04.2022	433.98
2022	79.57	3/24/2022	3/28/2022	365.02	4/12/2022	00145.04.2022	365.02
2022	489.86	5/4/2022					
2022	653.44	5/4/2022					
	<b>\$ 11,912.85</b>			<b>\$ 13,955.71</b>			<b>\$ 13,955.71</b>

*(1) The approved amount may be higher than the submitted amount as the program began approving in 2022 payment for the past due balance as well as three months prepayment based on the customers most recent bill submitted by the District.*

Staff Report prepared by Sylvia Molina, Senior Accountant



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
May 11, 2022**

Item 4

STAFF REPORT

**TO:** Board of Directors

**FROM:** Bill Clayton, Finance Manager

**SUBJECT: Resolution 2022-\_\_ Amending the District's Policies and Procedures Manual to add Policy 5046: Other Post-Employment Benefits Funding, and**

**Resolution 2022-\_\_: Electing to Participate in the California Employers' Retiree Trust Program, Adopting the Agreement to Prefund Other Post-Employment Benefits Through CalPERS, and Execution of Related Documents**

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**Staff Recommendation**

That the Board consider and adopt:

- Resolution 2022-\_\_: Amending the District's Policies and Procedures Manual to add Policy 5046: Other Post-Employment Benefits Funding
- Resolution 2022: Electing to Participate in the California Employers' Retiree Trust Program (CERBT), Adopting the Agreement to Prefund Other Post-Employment Benefits Through CalPERS, and Execution of Related Documents

**Background:**

At its regular meeting of September 11, 2019, the Board of Directors received a presentation by Urban Futures Incorporated (UFI), a financial advisory and consulting services firm, regarding options to address unfunded pension and Other Post-Employment Benefits (OPEB) liabilities. At that time, UFI recommended that the District adopt a formal written pension and OPEB funding policy, stating their belief that rating agencies will require public agencies to formally adopt written policies to address unfunded pension/OPEB liabilities in the near term.

While the District has not adopted a formal written pension or OPEB funding policy, the 2019 Water Rate Study did make provision for the rate collection activity of \$104,000 to be set aside annually for the possible pre-funding of the OPEB liability, which was \$2.24 million as of December 31, 2021, up from \$2.06 million as of December 31, 2020. This increase is partially due to the fact that the District has not established an OPEB funding policy.

At a special meeting of the Finance and Audit Committee on May 25, 2021, discussion was held regarding the increase in the liability, and it was suggested that the topic be brought back to a future meeting of the full Board, specifically to re-examine the alternatives for pre-funding the OPEB liability, and consider adoption of an OPEB funding policy and OPEB funding strategy.

On July 14, 2021 the Board was presented with several options to consider for pre-funding both the pension and OPEB obligations, and on August 11, 2021, Matt Goss, Program Manager, Customer Outreach and Support at CalPERS, presented further information on prefunding tools available to the District that could manage costs and increase investment income.



## **Summary**

### **OPEB 115 Trust Benefits**

A Section 115 trust is a tax-exempt investment vehicle authorized by the Internal Revenue Code (IRC) used to prefund essential government expenses (e.g., retiree medical and retirement plan benefits). To remain tax-exempt, assets held in a Section 115 Trust are designated as irrevocable, meaning they must be used to fund the District's retiree medical plan obligations. Additionally, monies held in such trusts can be invested in accordance with the rules governing those trusts, which are different than the investment rules for the District's pooled investments. Setting aside funds in a Section 115 Trust can potentially earn a higher rate of return than if funds were invested by the District or even the District's investment advisor, Chandler Asset Management.

Funds placed in a Section 115 Trust can remain in the trust until a point in time when the District chooses to draw on its assets to pay annual benefit obligations or reimburse the District for its OPEB expense. The District may withdraw funds by adopting policies and procedures that include requiring action be taken by the Board. The District would set its own restrictions on how and when the funds can be used and withdrawn.

Establishing a Section 115 Trust to prefund OPEB obligations is a best practice recommended by the Government Finance Officers Association (GFOA). Some of the other benefits that a Section 115 Trust program can provide are summarized below:

- Financial management and stability - the creation, funding, and management of an OPEB Trust signals to the credit rating agencies as well as the broader public that the organization is looking to manage these large unfunded liabilities
- Investment returns may help pay for benefits - while investment returns are not guaranteed, the OPEB Trust is generally invested for the long-term and is projected to have higher returns than general governmental funds – these excess returns may be used to reduce the long-term cost of the OPEB plan
- Enhanced intergenerational equity - the plan sponsor and taxpayer of today will fund benefits that are earned today so that these costs are not borne by a future taxpayer

### **OPEB 115 Trust Options**

District staff researched 115 trust options and found through other agencies' RFPs that there are very few options to choose from. The major entities that offer OPEB trusts to meet the needs of the District are CalPERS, Keenan Financial, PARS and PFM. Attachment 3 is a comparative analysis of the options.

#### **Option 1 – CalPERS CERBT (Staff Recommended Option)**

The CalPERS OPEB 115 Trust, the California Employers' Retirement Benefit Trust (CERBT), consists of three strategy investment options. The CERBT is a self-funded, not-for-profit program where participating employers pay for the total costs of the trust option. The CalPERS program is managed by CalPERS (administrator), State Street Global Advisors (investment manager) and State Street Bank (trustee). The CERBT has an all-inclusive fee rate of 10 basis points (0.10%) of employer account assets under management. There are no other fees. All employers pay the same fee rate, which may



be higher or lower in the future per CalPERS. As of February 28, 2022, strategy 1 reported a one-year return of 6.04%, while strategy 2 reported a one-year return of 7.95%, and strategy 3 reported a one-year return of 6.24%. Termination requires 150 days advance notice and CalPERS Board approval.

### **Option 2 – Keenan Financial**

Keenan financial Services offers an OPEB 115 Trust with 6 risk tolerance level portfolio choices. It is managed by Keenan Financial Services (administrator), Morgan Stanley (investment advisor) and Benefit Trust Company (trustee). The total management fees are 30 basis points (.30%) of assets under management. Keenan also utilizes a Board of Authority, which consists of a representative from each member agency (participation is not mandatory) to review the trust and provide advice regarding the investment outlook for the future. As of February 28, 2022, Keenan reported a one-year return rate ranging from 1.9% - 23.69% within their 6 portfolio options. Termination requires 90 days advanced notice.

### **Option 3 – PARS Option A**

The Public Agency Retirement Service (PARS) OPEB 115 Trust Option A includes 5 risk tolerance levels with choice of active or passive for a total of 10 risk tolerance options and can customize a portfolio valued at least \$5 million. (Passive investing means to hold at a representative benchmark whereas active involves constant attention to beat the benchmark). The trust is managed by PARS (administrator), Vanguard Advisers, Inc (investment advisor) and US Bank (trustee). HighMark Capital Management is a subsidiary of Union Bank; however, Union Bank is currently in the process of being acquired by US Bank. The total management fees are 60 basis points (0.60%) of assets under management. As of February 28, 2022 PARS reported a one-year return of 2.2% - 14.96% within their 5 active portfolio options. Termination requires 30 days advanced notice.

### **Option 4 – PARS Option B**

The Public Agency Retirement Service (PARS) OPEB 115 Trust Option B includes 4 risk tolerance level portfolio choices. It is managed by PARS (administrator), HighMark Capital Management (investment advisor) and US Bank (trustee). The total management fees are 30 basis points (0.30%) of assets under management. As of February 28, 2022 PARS Option B reported a one-year return of -1.52% - 15.11% within their 4 portfolio options. Termination requires 30 days advanced notice.

City staff contacted PFM and spoke with a representative as well as requested information. As of the writing of this report the information requested to complete a comparative analysis has not been received.

While all four options can provide adequate services, District staff's evaluation process concluded that Option 1 – CalPERS would provide the best overall value for the District. CalPERS has extensive experience with OPEB trusts, with over 550 California public agencies participating in its program and a 98% retention rate, the most broadly diversified portfolios, unmatched resources and economies of scale, and the lowest total participation cost.



Given the high level of service and responsiveness given to its members, District staff further identifies that having CalPERS as the Trust Administrator should provide a low commitment of staff time and minimizing impacts to other ongoing projects and responsibilities.

### **Fiscal Impact**

A total of \$208,000 would be deposited in the CalPERS CERBT in 2022 for OPEB amounts set aside in 2020 and 2021. The District will retain full access to these funds to meet future OPEB obligations as needed at the sole discretion of the District. The CalPERS fee for administering the fund is 10 basis points; based on the proposed balance of \$208,000 the total fee would be \$208 ( $\$208,000 \times 0.0010$ ) per year. Offsetting this fee, utilizing Strategy 3, the District may earn \$12,979 in interest revenue over the first year, depending on market performance.

### **Attachments**

1. Proposed Resolution 2022-\_\_: Policy 5046: Other Post-Employment Benefits (OPEB) Funding
2. Proposed Resolution 2022-\_\_: Electing to Participate in the California Employers' Retiree Trust Program (CERBT), Adopting the Agreement to Prefund Other Post-Employment Benefits Through CalPERS, and Execution of Related Documents
3. OPEB 115 Trust Comparison – 4 Options

Staff Report prepared by Bill Clayton, Finance Manager

**RESOLUTION 2022-\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT AMENDING THE DISTRICT'S POLICIES AND PROCEDURES MANUAL TO ADD POLICY 5046: OTHER POST-EMPLOYMENT BENEFITS FUNDING**

**WHEREAS**, on March 18, 2009 the Board of Directors of the Beaumont-Cherry Valley Water District adopted Resolution 2009-05, establishing a Policies and Procedures Manual applicable to Board of Directors and District staff; and

**WHEREAS**, it has been recommended by financial consultants that the District adopt a formal written pension and Other Post-Employment Benefits (OPEB) funding policy; and

**WHEREAS**, the Board of Directors has determined that it is in the best interests of the District and to establish said policy; and

**WHEREAS**, the Board of Directors has reviewed and considered the addition of Policy 5046 to the BCVWD Policies and Procedures Manual attached as Exhibit A and finds the policy relevant and acceptable,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District that the BCVWD Policies and Procedures Manual is amended to include Policy 5046 as attached hereto as Exhibit A.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

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Director Lona Williams, President of the Board of Directors of the Beaumont-Cherry Valley Water District

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Director David Hoffman, Secretary to the Board of Directors of the Beaumont-Cherry Valley Water District

Attachment – Exhibit A

**POLICY TITLE:** OTHER POST EMPLOYMENT BENEFITS (OPEB) FUNDING POLICY  
**POLICY NUMBER:** 5046

5046.1 **Purpose.** The purpose of this Other Post-Employment Benefits (“OPEB”) Funding Policy is to provide reasonable assurance that the cost of those benefits will be funded in an equitable and sustainable manner.

5046.2 **Background.**

5046.3 **Policy.**

It is the District’s policy to fund the OPEB Trust annually with \$104,000, through the end of Fiscal Year 2024.

The District will engage an OPEB actuarial consultant to calculate the Actuarially Determined Contribution (ADC) of the District’s OPEB based on biennial actuarial valuations. The ADC will include the normal cost for current service and amortization of the under-funded liability. The normal cost is the current year cost of the program to provide the benefit for current employees in the future. The normal cost will be calculated using the entry age normal cost method using appropriate economic and non-economic assumptions approved by the District.

The District will review the actuarial valuations to validate the completeness and accuracy of the employee census data and the reasonableness of the actuarial assumptions. Actuarial valuations involve estimates and assumptions about the probability of occurrence of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future.

5046.4 **Policy Review.** The District shall review this Policy annually with the Finance and Audit Committee to determine if any changes to this Policy should be recommended to the Board due to changes in the practices, activities, or circumstances of the District.

**RESOLUTION 2022-\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAUMONT-CHERRY VALLEY WATER DISTRICT ELECTING TO PARTICIPATE IN THE CALIFORNIA EMPLOYERS' RETIREE TRUST PROGRAM (CERBT), ADOPTING THE AGREEMENT TO PREFUND OTHER POST-EMPLOYMENT BENEFITS THROUGH CALPERS, AND EXECUTION OF RELATED DOCUMENTS**

**WHEREAS**, the Beaumont-Cherry Valley Water District (District) provides health insurance benefits to retirees, also known as Other Post-Employment Benefits (OPEB), and historically funded its OPEB on a "pay-as-you-go" basis; and

**WHEREAS**, the California Public Employees Retirement System (CalPERS) has established the California Employers' Retiree Benefit Trust (CERBT) to manage OPEB fund for public agencies through an irrevocable trust, in compliance with Internal Revenue Code Section 115; and

**WHEREAS**, staff under the direction of the District's General Manager and Director of Finance and Administration has performed a thorough evaluation of options for responsibly addressing the District's long-term obligation for OPEB and recommends participation in the CERBT as the most appropriate option,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District as follows:

**SECTION 1.** The Board of Directions does hereby approve the CERBT Agreement and Election of the District to prefund Other Post-Employment Benefits through CalPERS

**SECTION 2.** The Board of Directors does hereby delegate to the General Manager or the General Manager's designee authority to request, on behalf of the District, eligible disbursements from the CERBT as needed and to certify as to the purpose for which the disbursed funds will be used.

**SECTION 3.** The Board of Directors does hereby authorize the General Manager or designee to execute all documents to facilitate the funding, investment managements and administration of the District's Other Post-Employment Benefits.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

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//  
//  
//



ATTEST:

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Director Lona Williams, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

---

Director David Hoffman, Secretary to the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

APPROVED AS TO FORM:

---

James Markman, Legal Counsel  
To the Beaumont-Cherry Valley Water District

Attachments:

1. California Employers' Retiree Benefit Trust Program ("CERBT") Agreement and Election of Beaumont-Cherry Valley Water District to Prefund Other Post-Employment Benefits Through CalPERS
2. Delegation of Authority to Request Disbursements California Employers' Retiree Benefit Trust (CERBT)

**CALIFORNIA EMPLOYERS' RETIREE BENEFIT TRUST PROGRAM ("CERBT")**

**AGREEMENT AND ELECTION  
OF**

Beaumont-Cherry Valley Water District

(NAME OF EMPLOYER)

**TO PREFUND OTHER POST-EMPLOYMENT  
BENEFITS THROUGH CalPERS**

WHEREAS (1) Government Code Section 22940 establishes in the State Treasury the Annuitants' Health Care Coverage Fund for the prefunding of health care coverage for annuitants (Prefunding Plan); and

WHEREAS (2) The California Public Employees' Retirement System (CalPERS) Board of Administration (Board) has sole and exclusive control and power over the administration and investment of the Prefunding Plan (sometimes also referred to as CERBT), the purposes of which include, but are not limited to (i) receiving contributions from participating employers and establishing separate Employer Prefunding Accounts in the Prefunding Plan for the performance of an essential governmental function (ii) investing contributed amounts and income thereon, if any, in order to receive yield on the funds and (iii) disbursing contributed amounts and income thereon, if any, to pay for costs of administration of the Prefunding Plan and to pay for health care costs or other post-employment benefits in accordance with the terms of participating employers' plans; and

WHEREAS (3) Beaumont-Cherry Valley Water District

(NAME OF EMPLOYER)

(Employer) desires to participate in the Prefunding Plan upon the terms and conditions set by the Board and as set forth herein; and

WHEREAS (4) Employer may participate in the Prefunding Plan upon (i) approval by the Board and (ii) filing a duly adopted and executed Agreement and Election to Prefund Other Post-Employment Benefits (Agreement) as provided in the terms and conditions of the Agreement; and

WHEREAS (5) The Prefunding Plan is a trust fund that is intended to perform an essential governmental function within the meaning of Section 115 of the Internal Revenue Code as an agent multiple-employer defined benefit plan as defined in Governmental Accounting Standards Board (GASB) Statements for Accounting and Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans (OPEB Standards) consisting of an aggregation of single-employer plans, with pooled administrative and investment functions;



NOW, THEREFORE, BE IT RESOLVED THAT EMPLOYER HEREBY MAKES THE FOLLOWING REPRESENTATION AND WARRANTY AND THAT THE BOARD AND EMPLOYER AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

A. Representation and Warranty

Employer represents and warrants that it is a political subdivision of the State of California or an entity whose income is excluded from gross income under Section 115 (1) of the Internal Revenue Code.

B. Adoption and Approval of the Agreement; Effective Date; Amendment

(1) Employer's governing body shall elect to participate in the Prefunding Plan by adopting this Agreement and filing with the CalPERS Board a true and correct original or certified copy of this Agreement as follows:

Filing by mail, send to:        CalPERS  
   CERBT (OPEB)  
   P.O. Box 1494  
   Sacramento, CA 95812-1494

Filing in person, deliver to:        CalPERS Mailroom  
   CERBT (OPEB)  
   400 Q Street  
   Sacramento, CA 95811

(2) Upon receipt of the executed Agreement, and after approval by the Board, the Board shall fix an effective date and shall promptly notify Employer of the effective date of the Agreement.

(3) The terms of this Agreement may be amended only in writing upon the agreement of both CalPERS and Employer, except as otherwise provided herein. Any such amendment or modification to this Agreement shall be adopted and executed in the same manner as required for the Agreement. Upon receipt of the executed amendment or modification, the Board shall fix the effective date of the amendment or modification.

(4) The Board shall institute such procedures and processes as it deems necessary to administer the Prefunding Plan, to carry out the purposes of this Agreement, and to maintain the tax exempt status of the Prefunding Plan. Employer agrees to follow such procedures and processes.

### C. Other Post-Employment Benefits (OPEB) Cost Reports and Employer Contributions

(1) Employer shall provide to the Board an OPEB cost report on the basis of the actuarial assumptions and methods prescribed by the Board. Such report shall be for the Board's use in financial reporting, and shall be prepared at least as often as the minimum frequency required by applicable GASB OPEB Standards. This OPEB cost report may be prepared as an actuarial valuation report or, if the employer is qualified under GASB OPEB Standards, may be prepared as an Alternative Measurement Method (AMM) report.

- (a) Unless qualified under GASB OPEB Standards, to provide an AMM report, Employer shall provide to the Board an actuarial valuation report. Such report shall be for the Board's use in financial reporting, and shall be prepared at least as often as the minimum frequency required by GASB OPEB Standards, and shall be:
  - 1) prepared and signed by a Fellow or Associate of the Society of Actuaries who is also a Member of the American Academy of Actuaries or a person with equivalent qualifications acceptable to the Board;
  - 2) prepared in accordance with generally accepted actuarial practice and GASB OPEB Standards; and,
  - 3) provided to the Board prior to the Board's acceptance of contributions for the valuation period or as otherwise required by the Board.
  
- (b) If qualified under GASB OPEB Standards, Employer may provide to the Board an AMM report. Such report shall be for the Board's use in financial reporting, shall be prepared at least as often as the minimum frequency required by GASB OPEB Standards, and shall be:
  - 1) affirmed by Employer's external auditor, or by a Fellow or Associate of the Society of Actuaries who is also a Member of the American Academy of Actuaries or a person with equivalent qualifications acceptable to the Board, to be consistent with the AMM process described in GASB OPEB Standards;
  - 2) prepared in accordance with GASB OPEB Standards; and,
  - 3) provided to the Board prior to the Board's acceptance of contributions for the valuation period or as otherwise required by the Board.

(2) The Board may reject any OPEB cost report for financial reporting purposes submitted to it, but shall not unreasonably do so. In the event that the Board

determines, in its sole discretion, that the OPEB cost report is not suitable for use in the Board's financial statements or if Employer fails to provide a required OPEB cost report, the Board may obtain, at Employer's expense, an OPEB cost report that meets the Board's financial reporting needs. The Board may recover from Employer the cost of obtaining such OPEB cost report by billing and collecting from Employer or by deducting the amount from Employer's account in the Prefunding Plan.

(3) Employer shall notify the Board of the amount and time of contributions which contributions shall be made in the manner established by the Board.

(4) Employer contributions to the Prefunding Plan may be limited to the amount necessary to fully fund Employer's actuarial present value of total projected benefits, as supported by the OPEB cost report for financial reporting purposes acceptable to the Board. As used throughout this document, the meaning of the term "actuarial present value of total projected benefits" is as defined in GASB OPEB Standards. If Employer's contribution causes its assets in the Prefunding Plan to exceed the amount required to fully fund the actuarial present value of total projected benefits, the Board may refuse to accept the contribution.

(5) No contributions are required. Contributions can be made at any time following the effective date of the Agreement provided that Employer has first complied with the requirements of Paragraph C.

#### D. Administration of Accounts, Investments, Allocation of Income

(1) The Board has established the Prefunding Plan as an agent plan consisting of an aggregation of single-employer plans, with pooled administrative and investment functions, under the terms of which separate accounts are maintained for each employer so that the Employer's assets will provide benefits only under the Employer's post-employment benefit plan(s).

(2) All Employer contributions and assets attributable to Employer contributions shall be separately accounted for in the Prefunding Plan (Employer's Prefunding Account).

(3) Employer's Prefunding Account assets may be aggregated with prefunding account assets of other employers and may be co-invested by the Board in any asset classes appropriate for a Section 115 Trust.

(4) The Board may deduct the costs of administration of the Prefunding Plan from the investment income or Employer's Prefunding Account in a manner determined by the Board.

(5) Investment income shall be allocated among participating employers and posted to Employer's Prefunding Account as determined by the Board but no less frequently than annually.

(6) If Employer's assets in the Prefunding Plan exceed the amount required to fully fund the actuarial present value of total projected benefits, the Board, in compliance with applicable accounting and legal requirements, may return such excess to Employer.

#### E. Reports and Statements

(1) Employer shall submit with each contribution a contribution report in the form and containing the information prescribed by the Board.

(2) The Board shall prepare and provide a statement of Employer's Prefunding Account at least annually reflecting the balance in Employer's Prefunding Account, contributions made during the period and income allocated during the period, and such other information as the Board determines.

#### F. Disbursements

(1) Employer may receive disbursements not to exceed the annual premium and other costs of post-employment healthcare benefits and other post-employment benefits as defined in GASB OPEB Standards.

(2) Employer shall notify CalPERS in writing in the manner specified by CalPERS of the persons authorized to request disbursements from the Prefunding Plan on behalf of Employer.

(3) Employer's request for disbursement shall be in writing signed by Employer's authorized representative, in accordance with procedures established by the Board. The Board may require that Employer certify or otherwise establish that the monies will be used for the purposes of the Prefunding Plan.

(4) Requests for disbursements that satisfy the requirements of paragraphs (2) and (3) will be processed monthly.

(5) CalPERS shall not be liable for amounts disbursed in error if it has acted upon the written instruction of an individual authorized by Employer to request disbursements. In the event of any other erroneous disbursement, the extent of CalPERS' liability shall be the actual dollar amount of the disbursement, plus interest at the actual earnings rate but not less than zero.

(6) No disbursement shall be made from the Prefunding Plan which exceeds the balance in Employer's Prefunding Account.

#### G. Costs of Administration

Employer shall pay its share of the costs of administration of the Prefunding Plan, as determined by the Board.

## H. Termination of Employer Participation in Prefunding Plan

(1) The Board may terminate Employer's participation in the Prefunding Plan if:

- (a) Employer gives written notice to the Board of its election to terminate;
- (b) The Board finds that Employer fails to satisfy the terms and conditions of this Agreement or of the Board's rules or regulations.

(2) If Employer's participation in the Prefunding Plan terminates for any of the foregoing reasons, all assets in Employer's Prefunding Account shall remain in the Prefunding Plan, except as otherwise provided below, and shall continue to be invested and accrue income as provided in Paragraph D.

(3) After Employer's participation in the Prefunding Plan terminates, Employer may not make contributions to the Prefunding Plan.

(4) After Employer's participation in the Prefunding Plan terminates, disbursements from Employer's Prefunding Account may continue upon Employer's instruction or otherwise in accordance with the terms of this Agreement.

(5) After the Employer's participation in the Prefunding Plan terminates, the governing body of the Employer may request either:

- (a) A trustee to trustee transfer of the assets in Employer's Prefunding Account; provided that the Board shall have no obligation to make such transfer unless the Board determines that the transfer will satisfy applicable requirements of the Internal Revenue Code, other law and accounting standards, and the Board's fiduciary duties. If the Board determines that the transfer will satisfy these requirements, the Board shall then have one hundred fifty (150) days from the date of such determination to effect the transfer. The amount to be transferred shall be the amount in the Employer's Prefunding Account as of the date of the transfer (the "transfer date") and shall include investment earnings up to an investment earnings allocation date preceding the transfer date. In no event shall the investment earnings allocation date precede the transfer date by more than 150 days.
- (b) A disbursement of the assets in Employer's Prefunding Account; provided that the Board shall have no obligation to make such disbursement unless the Board determines that, in compliance with the Internal Revenue Code, other law and accounting standards, and the Board's fiduciary duties, all of Employer's obligations for payment of post-employment health care benefits and other post-employment benefits and reasonable administrative costs of the Board have been satisfied. If the Board determines that the disbursement will satisfy these requirements, the

Board shall then have one hundred fifty (150) days from the date of such determination to effect the disbursement. The amount to be disbursed shall be the amount in the Employer's Prefunding Account as of the date of the disbursement (the "disbursement date") and shall include investment earnings up to an investment earnings allocation date preceding the disbursement date. In no event shall the investment earnings allocation date precede the disbursement date by more than 150 days.

(6) After Employer's participation in the Prefunding Plan terminates and at such time that no assets remain in Employer's Prefunding Account, this Agreement shall terminate.

(7) If, for any reason, the Board terminates the Prefunding Plan, the assets in Employer's Prefunding Account shall be paid to Employer after retention of (i) amounts sufficient to pay post-employment health care benefits and other post-employment benefits to annuitants for current and future annuitants described by the employer's current substantive plan (as that term is used in GASB OPEB Standards), and (ii) amounts sufficient to pay reasonable administrative costs of the Board.

(8) If Employer ceases to exist but Employer's Prefunding Plan continues to exist and if no provision has been made by Employer for ongoing payments to pay post-employment health care benefits and other post-employment benefits to annuitants for current and future annuitants, the Board is authorized to and shall appoint a third party administrator to carry out Employer's Prefunding Plan. Any and all costs associated with such appointment shall be paid from the assets attributable to contributions by Employer.

(9) If Employer should breach the representation and warranty set forth in Paragraph A., the Board shall take whatever action it deems necessary to preserve the tax-exempt status of the Prefunding Plan.

## I. General Provisions

### (1) Books and Records.

Employer shall keep accurate books and records connected with the performance of this Agreement. Employer shall ensure that books and records of subcontractors, suppliers, and other providers shall also be accurately maintained. Such books and records shall be kept in a secure location at the Employer's office(s) and shall be available for inspection and copying by CalPERS and its representatives.

### (2) Audit.

(a) During and for three years after the term of this Agreement, Employer shall permit the Bureau of State Audits, CalPERS, and its authorized



representatives, and such consultants and specialists as needed, at all reasonable times during normal business hours to inspect and copy, at the expense of CalPERS, books and records of Employer relating to its performance of this Agreement.

- (b) Employer shall be subject to examination and audit by the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, during the term of this Agreement and for three years after final payment under this Agreement. Any examination or audit shall be confined to those matters connected with the performance of this Agreement, including, but not limited to, the costs of administering this Agreement. Employer shall cooperate fully with the Bureau of State Audits, CalPERS, and its authorized representatives, and such consultants and specialists as needed, in connection with any examination or audit. All adjustments, payments, and/or reimbursements determined to be necessary by any examination or audit shall be made promptly by the appropriate party.

(3) Notice.

- (a) Any notice, approval, or other communication required or permitted under this Agreement will be given in the English language and will be deemed received as follows:
  - 1. Personal delivery. When personally delivered to the recipient. Notice is effective on delivery.
  - 2. First Class Mail. When mailed first class to the last address of the recipient known to the party giving notice. Notice is effective three delivery days after deposit in a United States Postal Service office or mailbox.
  - 3. Certified mail. When mailed certified mail, return receipt requested. Notice is effective on receipt, if delivery is confirmed by a return receipt.
  - 4. Overnight Delivery. When delivered by an overnight delivery service, charges prepaid or charged to the sender's account, Notice is effective on delivery, if delivery is confirmed by the delivery service.
  - 5. Telex or Facsimile Transmission. When sent by telex or fax to the last telex or fax number of the recipient known to the party giving notice. Notice is effective on receipt, provided that (i) a duplicate copy of the notice is promptly given by first-class or certified mail or by overnight delivery, or (ii) the receiving party delivers a written

confirmation of receipt. Any notice given by telex or fax shall be deemed received on the next business day if it is received after 5:00 p.m. (recipient's time) or on a nonbusiness day.

6. E-mail transmission. When sent by e-mail using software that provides unmodifiable proof (i) that the message was sent, (ii) that the message was delivered to the recipient's information processing system, and (iii) of the time and date the message was delivered to the recipient along with a verifiable electronic record of the exact content of the message sent.

Addresses for the purpose of giving notice are as shown in Paragraph B.(1) of this Agreement.

- (b) Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger or overnight delivery service.
- (c) Any party may change its address, telex, fax number, or e-mail address by giving the other party notice of the change in any manner permitted by this Agreement.
- (d) All notices, requests, demands, amendments, modifications or other communications under this Agreement shall be in writing. Notice shall be sufficient for all such purposes if personally delivered, sent by first class, registered or certified mail, return receipt requested, delivery by courier with receipt of delivery, facsimile transmission with written confirmation of receipt by recipient, or e-mail delivery with verifiable and unmodifiable proof of content and time and date of sending by sender and delivery to recipient. Notice is effective on confirmed receipt by recipient or 3 business days after sending, whichever is sooner.

#### (4) Survival

All representations, warranties, and covenants contained in this Agreement, or in any instrument, certificate, exhibit, or other writing intended by the parties to be a part of their Agreement shall survive the termination of this Agreement until such time as all amounts in Employer's Prefunding Account have been disbursed.

#### (5) Waiver

No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this Agreement shall be effective unless it is in writing and

signed by the party waiving the breach, failure, right, or remedy. No waiver of any breach, failure, right, or remedy shall be deemed a waiver of any other breach, failure, right, or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

(6) Necessary Acts, Further Assurances

The parties shall at their own cost and expense execute and deliver such further documents and instruments and shall take such other actions as may be reasonably required or appropriate to evidence or carry out the intent and purposes of this Agreement.

A majority vote of Employer's Governing Body at a public meeting held on the \_\_\_\_\_ day of the month of \_\_\_\_\_ in the year \_\_\_\_\_, authorized entering into this Agreement.

Signature of the Presiding Officer: \_\_\_\_\_

Printed Name of the Presiding Officer: \_\_\_\_\_

Name of Governing Body: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

Date: \_\_\_\_\_

BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
MELODY BENAVIDES  
DIVISION CHIEF, PENSION CONTRACTS AND PREFUNDING PROGRAMS  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

To be completed by CalPERS The effective date of this Agreement is: _____
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California Public Employees' Retirement System California Employers' Retiree Benefit Trust (CERBT)  
400 Q Street, Sacramento, CA 95811  
www.calpers.ca.gov

**Delegation of Authority to Request Disbursements  
California Employers' Retiree Benefit Trust  
(CERBT)**

**RESOLUTION  
OF THE**

**Board of Directors**

(GOVERNING BODY)

**OF THE**

**Beaumont-Cherry Valley Water District**

(NAME OF EMPLOYER)

The **Board of Directors** delegates to the incumbents  
(GOVERNING BODY)

in the positions of **General Manager** and  
(TITLE)

**Director of Finance and Administration** and/or  
(TITLE)

**Finance Manager** authority to request on  
(TITLE)

behalf of the Employer disbursements from the Other Post Employment Prefunding

Plan and to certify as to the purpose for which the disbursed funds will be used.

By \_\_\_\_\_

Title \_\_\_\_\_

Witness \_\_\_\_\_

Date \_\_\_\_\_



PFM has been non-responsive to requests for information

	<u>CalPERS CERBT</u>	<u>Keenan Financial</u>	<u>PARS Option A</u>	<u>PARS Option B</u>	<u>PFM</u>
Experience	90 years, 15 w/ Section 115	50 years, 16 w/ Section 115	38 years, 17 w/ Section 115	38 years, 17 w/ Section 115	
Headquarters	Sacramento, CA	Torrance, CA	Newport Beach, CA	Newport Beach, CA	
IRS Private Letter Ruling	Favorable PLR from IRS	Favorable PLR from IRS	Favorable PLR from IRS	Favorable PLR from IRS	
Investment Manager	State Street Global Advisors	Morgan Stanley	HighMark Capital Management	Vanguard	
Trust Custodian	State Street Bank	Benefit Trust Company	US Bank	US Bank	
Assets Held in Trust	\$16.8B	\$1.5B	\$6B (Total PARS Option 1 and 2)	\$6B (Total PARS Option 1 and 2)	
Total # of Agencies Services	2,892	72	1,000+ (Total PARS Option 1 and 2)	1,000+ (Total PARS Option 1 and 2)	
Section 115 OPEB Trust Clients	591	36	350 (Total PARS Option 1 and 2)	350 (Total PARS Option 1 and 2)	
Investment Options	3 risk tolerance levels, no choice of Active, Passive or custom.	6 risk tolerance levels	5 risk tolerance levels with choice of Active or Passive for a total of 10, and options to customize (over \$5m)	4 risk tolerance levels	
Minimum Contribution Required	No Min No termination fees charged. 150 days advanced notice and board approval required	No Min	No Min	No Min	
Termination Rules		No termination fees charged. 90 days advance notice required	No termination fees charged. 30 day advance notice required.	No termination fees charged. 30 day advance notice required.	
Mutual Indemnification clause in agreement	No	No	Yes	Yes	
OPEB Expense Reimbursement Fees (Assets under \$5 Million)	One Year	No limit on # of prior years	Two Years (current year plus one year prior)	Two Years (current year plus one year prior)	
Trust Admin Fees	0.10%	0.10%	0.25%	0.25%	
Trustee/Investment Management Fees	Part of Admin Fees	0.20%	0.35%	Combined Vanguard and US Bank Fee*: 0.0527% - 0.07% (Vanguard IM Fees: 0.02%, US Bank Trustee Fee*: 0.0327% - 0.05%)	
Total Admin, Trustee/Investment Management Fees	0.10%	0.30%	0.60%	0.3027% - 0.32%	
Expense Ratios	Part of Admin Fees	.59% to .71%	Passive: 0.07% to 0.12% Active: 1.04% to 1.05%	Avg. 0.08%	
<b>Total Est. Annual Costs</b>	<b>0.10%</b>	<b>0.89% to 1.01%</b>	<b>1.05%</b>	<b>0.3827% - 0.4%</b>	
<b>Portfolio Comparison of One Year Returns Before Fees***</b>					
CERBT Strategy 1 (approx 59% equity)	6.04%				
Expected Rate of Return	7.59%				
Standard Deviation of Expected Investment Returns	11.83%				
CERBT Strategy 2 (approx 40% equity)	7.95%				
Expected Rate of Return	7.01%				
Standard Deviation of Expected Investment Returns	9.24%				
<b>CERBT Strategy 3 (approx 22% equity)</b>	<b>6.24%</b>				
Expected Rate of Return	6.22%				
Standard Deviation of Expected Investment Returns	7.28%				
Fixed Income		1.90%			
Conservative		6.16%			
Moderate		10.91%			
Moderate Growth		14.40%			
Growth		19.11%			
Aggressive Growth		23.69%			
HighMark - Conservative (approx. 16% Equity)			2.20%		
<b>HighMark - Moderately Conservative (approx. 32% Equity)</b>			<b>5.15%</b>		
HighMark - Moderate (approx. 53% Equity)			9.31%		
HighMark - Balanced (approx. 63% Equity)			11.44%		
HighMark - Capital Appreciation (approx. 79% Equity)			14.96%		
Vanguard - Fixed Income (approx. 0% Equity)				-1.52%	
<b>Vanguard - Conservative (approx. 40% Equity)</b>				<b>7.08%</b>	
Vanguard - Balanced (approx. 60% Equity)				11.55%	
Vanguard - Growth (approx. 75% Equity)				15.11%	

\*\*\*Returns are as of February 28, 2022



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
May 11, 2022**

Item 5

STAFF REPORT

**TO:** Board of Directors

**FROM:** Dan Jagers, General Manager

**SUBJECT: Consideration of Resolution 2022-\_\_ : Amending the District Policies and Procedures Manual**

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**Staff Recommendation**

Adopt Resolution 2022-\_\_ Amending the District Policies and Procedures Manual, or direct staff as desired.

**Background**

On March 18, 2009, the Board of Directors adopted Resolution 2009-05, establishing a Policies and Procedures Manual applicable to the Board of Directors and District staff. The document has been updated periodically over the years.

At the November 15, 2021, and April 19, 2022, meetings of the Personnel Committee, the Committee members reviewed drafts of the proposed policies and recommended them to be presented to the full Board for consideration.

**Summary**

Staff recommends the adoption of Resolution 2022-\_\_, which incorporates the following policy changes to the Policies and Procedures Manual:

<b>Policy Number</b>	<b>Policy Title</b>	<b>Description</b>
3025	Pay Periods	<ul style="list-style-type: none"><li>Proposed language revises the policy to match actual payroll practice as dictated by District's payroll software.</li></ul>
3030	Gift Acceptance Guidelines	<ul style="list-style-type: none"><li>Policy language is aligned closely with Fair Political Practice (FPPC) language and requirements.</li><li>Specific limit removed to prevent frequent need to update the policy to match FPPC guidelines.</li></ul>
3035	Outside Employment	<ul style="list-style-type: none"><li>Proposed language would require employees to disclose outside employment.</li><li>Policy now explains how a conflict of interest is determined.</li></ul>



3205	Substance Abuse (In Conformance with Department of Transportation Guidelines)	<ul style="list-style-type: none"> <li>• Additional language regarding Medical Marijuana and CBD oil.</li> <li>• Leave taken for participation in a rehabilitation program will be unpaid.</li> <li>• Safety-sensitive employees convicted of a DUI/DWI and unable to perform essential driving duties will be placed on unpaid leave.</li> <li>• Elaborated definition of “accident” and addition of near-miss testing.</li> <li>• Permits disciplinary action for a confirmed positive prohibited substance or alcohol test.</li> <li>• Removed documentation requirements for logbooks, calibration devices, etc. as these are kept at the testing site.</li> <li>• Rehabilitation program participation is not eligible for the Employee Leave Donation Program.</li> <li>• Additional language about FMCSA Clearinghouse.</li> </ul>
3205 Appendix A	Appendix A	<ul style="list-style-type: none"> <li>• Updates to job titles</li> </ul>
3205 Appendix B	Appendix B	<ul style="list-style-type: none"> <li>• Minor edits</li> </ul>
3206	FMCSA Clearinghouse Registration	<ul style="list-style-type: none"> <li>• New proposed policy based on updated regulations.</li> </ul>
5100	Press Relations and Social Media	<ul style="list-style-type: none"> <li>• New proposed policy recommended by the District’s consultant CV Strategies and the Ad Hoc Communications Committee.</li> </ul>

**Fiscal Impact**

No fiscal impact.

**Attachments**

1. Proposed Resolution 2022-\_\_ Amending the District Policies and Procedures Manual
2. Resolution Exhibits A, B and C
3. Side by Side Policy Comparison
4. Policy Approval Tracking Project

Staff Report prepared by Sabrina Foley, Human Resources Coordinator

**RESOLUTION 2022-\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE BEAUMONT-CHERRY VALLEY WATER DISTRICT  
AMENDING THE DISTRICT'S POLICIES AND  
PROCEDURES MANUAL**

**WHEREAS**, on March 18, 2009 the Board of Directors of the Beaumont-Cherry Valley Water District adopted Resolution 2009-05, establishing a Policy and Procedures Manual applicable to Board of Directors and District staff; and

**WHEREAS**, upon review and discussion, the Personnel Committee of the Board of Directors has recommended revisions the Policy and Procedures Manual based on advice given by the District's legal counsel and human resources consultant; and

**WHEREAS**, the Board of Directors has reviewed and considered the said policy revisions and additions to the BCVWD Policy and Procedures Manual Part I attached as Exhibit A, and finds the policies relevant and acceptable, and deems it to be in the best interests of the District that the following actions be taken,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Beaumont-Cherry Valley Water District as follows:

1. The BCVWD Policies and Procedures Manual Sections:

3025	Pay Periods
3030	Gift Acceptance Guidelines
3035	Outside Employment
3205	Substance Abuse (In Conformance with Department of Transportation Guidelines)

are hereby replaced in entirety with the policies attached hereto as Exhibit A

2. The BCVWD Policies and Procedures Manual is hereby amended to include new sections:

3206	FMCSA Clearinghouse Registration
5100	Press Relations and Social Media

attached hereto as Exhibits B and C

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

*Signatures on next page*



ATTEST:

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Director Lona Williams, President of the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

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Director David Hoffman, Secretary to the  
Board of Directors of the  
Beaumont-Cherry Valley Water District

Attachments – Exhibit A: Policies 3025, 3030, 3035 and 3205  
Exhibit B: Policy 3206  
Exhibit C: Policy 5100

DRAFT

**POLICY TITLE: PAY PERIODS**  
**POLICY NUMBER: 3025**

3025.1 The pay period shall commence on Sunday at 12:00 A.M. and continue until 11:59 P.M. the second Saturday following. Payday shall occur on the Thursday following the end of the pay period.

3025.2 The work week shall consist of 168 consecutive hours beginning on Sunday at 12:00 A.M. and ending the following Saturday at 11:59 P.M.

**POLICY TITLE: GIFT ACCEPTANCE GUIDELINES**  
**POLICY NUMBER: 3030**

3030.1 An employee or his or her immediate family may not accept from, or provide to, individuals of companies seeking to do business with the District, gifts, entertainment, services, or benefits unless the transaction meets all of the following guidelines:

1. Is customary and does not give the appearance of impropriety,
2. Does not impose any sense of obligation on either the giver or the receiver,
3. Does not result in any kind of special or favored treatment,
4. Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at District expense, and
5. Is given and received with no effort to conceal the full facts by either the giver or receiver.

3030.2 A gift is considered anything that confers a personal benefit, including a rebate or discount not given to the public, for which an employee does not provide payment or services of equal or greater value. An employee or his/her immediate family (as defined in Fair Political Practices Commission (FPPC) Regulation 18943) may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, services, or benefits from any single source totaling more than the calendar year maximum published by the FPPC.

3030.3 Employees of the District who are designated in the District's conflict of interest code (and therefore are required to file a Statement of Economic Interests Form 700 annually), may not accept gifts from any single source totaling more than the calendar year maximum published by the FPPC in a calendar year (Gov. Code §89503(c)).

3030.4 Gift Exceptions. The following are exceptions to the definition of gift and are not considered gifts or income under this policy.

1. Return or Reimbursement of Gift. Items that are returned unused or reimbursed to the donor within 30 days of receipt.
2. Donation of Gift to Nonprofit Group. Items that are donated unused to a non-profit, tax-exempt organization or a government agency within 30 days of receipt, without a tax deduction claim.
3. Gifts from Family. Gifts from the public official or employee's spouse, child, parent, grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin or the spouse of any such person, great grandparents, great uncles and aunts, great-nieces and nephews, and first cousins once removed.
4. Informational Material. Informational material provided to assist the public official or employee in the performance of their duties, including books, reports, pamphlets, calendars, periodicals, videotapes, or free admission or discounts to informational conferences or seminars.
5. Inheritance.
6. Plaques. Personalized plaques and trophies with an individual value of less than \$250 (Gov. Code §82028(b)b(6); Regulation 18942(a)(6)).
7. Items Provided to District. Items provided to the District and used by employees for District business, such as a vendor sample or demonstration.
8. Ceremonial Role. Free admission to a ticketed event for the public official or employee and one guest, where the public official or employee performs a ceremonial role.
9. Event Where Official Makes a Speech. Free admission, food, and nominal items available to all attendees, at an event where the public official or employee makes a speech.
10. Attending Wedding Reception. Benefits received as a guest to a wedding reception where the benefits are the same as those received by the other guests.

11. Bereavement Offerings. Bereavement offerings received in memory of a close family member.
12. Acts of Neighborliness. Benefits received as an act of neighborliness.
13. Campaign or Nonprofit Fundraiser. Two tickets for admission to attend a fundraiser for a campaign committee, candidate, or nonprofit organization.
14. Unused Passes or Tickets. Passes or tickets that are unused and not given to another person.
15. Emergency Leave Credits. Leave credits (e.g., sick leave or vacation credits) received under the District's Employee Leave Donation Program (Policy 3225).
16. Disaster Relief. Benefits received from a disaster relief program available to the general public.
17. Agency Raffle. Items awarded in a raffle received by the District from an employee who is not acting as an intermediary for another donor. Alternatively, when the District holds an employee raffle and the item awarded in the raffle has been obtained with District funds.
18. Employee Gift Exchange. Items received by an employee during an employee gift exchange.

3030.5 District employees are required to follow all regulations of the California Fair Political Practices Commission (FPPC). Information and advice regarding the regulations can be found at [fppc.ca.gov](http://fppc.ca.gov). Failure to comply with the laws related to gifts, honoraria, loans, and travel payments may, depending on the violation, result in criminal prosecution and substantial fines, or in administrative or civil monetary penalties for as much as \$5,000 per violation or three times the amount illegally obtained. (See Gov. Code §§ 83116, 89520, 89521, 91000, 91004 and 91005.5.)

**POLICY TITLE: OUTSIDE EMPLOYMENT**  
**POLICY NUMBER: 3035**

3035.1 No District employee shall be permitted to accept employment in addition to or outside of District service if:

1. The additional or outside employment leads to a conflict or potential conflict of interest for said employee;
2. The nature of the additional or outside employment is such that it will reflect unfavorably on the District;
3. The duties to be performed in the additional or outside employment conflict with the duties involved in District service; or
4. The additional or outside employment adversely affects the employee's performance of his or her job for the District, including by causing absenteeism, tardiness, or less attention paid to District-related responsibilities.

3035.2 **District Resources.** An employee who does have additional or outside employment shall not be permitted to use District assets including records, materials, equipment, facilities, vehicles, technology, electronic resources such as e-mail or District servers, or other District resources in connection with said employment.

3035.3 **Disclosure.** Employees are required ~~encouraged~~ to disclose outside employment to his or her immediate supervisor to prevent a potential conflict of interest. The supervisor shall notify Human Resources. The determination of a conflict of interest may be appealed to the General Manager or their designee. A conflict of interest will be determined based on the following non-exclusive criteria:

1. The other employer is a current vendor, contractor, or consultant of the District.
2. The other employer is a partner agency.
3. The other employment does not meet the requirements of section 3035.1 above.

**POLICY TITLE: SUBSTANCE ABUSE (IN CONFORMANCE WITH DEPARTMENT OF TRANSPORTATION GUIDELINES)**

**POLICY NUMBER: 3205**

3205.1 **Purpose.** The purpose of this policy is to ensure worker fitness for duty and to protect District employees and the public from risks posed by the use of alcohol and other prohibited substances. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry. The Federal Highway Administration (FHWA) of the Department of Transportation (DOT) has enacted 49 CFR Part 382 that mandates urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," which is applicable to certain employees, requiring the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. This policy incorporates those requirements of safety-sensitive employees and others when so noted.

3205.2 The District recognizes that the use of alcohol and/or other prohibited substances in the workplace is not conducive to safe working conditions. In order to promote a safe, healthy, and productive work environment for all employees, it is the objective of the District to have a workforce that is free from the influence of drugs and alcohol.

3205.3 Any terms or procedures not defined within the District's policy shall be defined by the Department of Transportation regulations, which are incorporated by reference herein, and as follows: 49 CFR Part 382, 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," and 49 CFR Part 40.

3205.4 **Applicability.** This policy applies to all employees when present on District property, including in a District vehicle, or when performing any District-related business. This policy applies to all tasks that involve the operation of heavy equipment, use of hand tools, and any function in which the employee's performance, reflexes, and/or judgment impact the safety of the employee or others. Certain provisions, where identified, will apply only to safety-sensitive employees. It also applies to off-site lunch periods and breaks when an employee is scheduled to return to work. Any employee who may be required to complete the "return-to-duty" process with a Substance Abuse Professional (SAP) shall not be compensated for time off and shall pay all costs associated with the "return-to-duty" process. A safety-sensitive employee is generally any employee who, in the normal course of business, is required to operate District vehicles or heavy equipment, or performs any function in which the employee's performance, reflexes, and/or judgment impact the safety of him- or herself or others. Additionally, a safety-sensitive employee is:

1. One in any classification requiring the use of a Class "A" or Class "B" commercial driver's license, as listed in Appendix A;
2. One who desires in the future to voluntarily drive a District vehicle requiring a commercial license, or may be required to operate a District vehicle requiring a commercial license on an emergency basis; or,
3. One who performs safety-sensitive functions as specified in Appendix A. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

3205.5 **Prohibited Substances.** “Prohibited Substances” addressed by this policy include, but are not limited to, the following:

1. **Drugs.** Marijuana, amphetamines, opiates, phencyclidine (PCP), cocaine, and all other substances that are illegal under state or federal law.
2. **Alcohol.** The use of beverages or substances, including any medication, containing alcohol, such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform, or immediately available to perform, any District business is prohibited. “Alcohol” is defined as the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.
3. **Controlled Substances.** The Drug Enforcement Agency (DEA) has classified certain medications as controlled substances. While certain controlled substances may be legal if taken in accordance with a medical doctor’s prescription and instructions for proper use, any misuse or abuse of controlled substances is prohibited under the District’s policy. Additionally, if proper use of a controlled substance impacts an employee’s ability to perform his or her job, the employee is required to inform a supervisor. The District will comply with all state and federal laws.
4. **Legal Medications.** Using or being under the influence of any legally prescribed medication(s), or non-prescription medication(s) while performing district business or while on District property is prohibited to the extent that such use of influence affects job safety or effective and efficient job performance. An employee who feels his/her performance of work-related duties may be impaired by the use of any legal substance which carries a warning label that indicates that mental functioning, motor skills, and/or judgment may be adversely affected shall report it to his/her supervisor, and medical advice shall be sought before performing work-related duties.
5. **Medical Marijuana.** The District, as well as the DOT, views marijuana as a Schedule I controlled substance and prohibits employees from having any detectable level in his or her system while working for the District, despite an employee’s possession of a “Medical Marijuana” card or prescription from a physician, which causes marijuana to be detected in a urine sample. The operation of a motor vehicle is prohibited while using marijuana.
6. **CBD Oil.** The labeling of many CBD Oil, or Cannabidiol, products may be misleading because the products could contain higher levels of THC, or Tetrahydrocannabinol, than the product label states. The Food and Drug Administration (FDA) does not currently certify the levels of THC in CBD products, so there is no federal oversight to ensure that the labels are accurate. The DOT’s Drug and Alcohol Testing Regulation, Part 40, does not authorize the use of Schedule I drugs, including marijuana, for any reason. Furthermore, CBD use is not a legitimate medical explanation for a laboratory-confirmed marijuana positive result. Therefore, Medical Review Officers will verify a drug test confirmed at the appropriate cutoffs as positive, even if the employee claims he or she only used a CBD product.

3205.6 **Prohibited Conduct.** Engaging in unlawful possession or use of a prohibited substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from duty and referral to a certified Substance Abuse Professional (SAP) and may result in discipline, up to and including termination of employment.

1. **Manufacture, Trafficking, Possession, and Use.** Engaging in unlawful manufacture, distribution, or dispensing of a prohibited substance or alcohol on District premises, in a District vehicle, or while

conducting District business off premises is strictly prohibited. Violation may result in termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

2. **Impaired/Not Fit for Duty.** Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty shall be removed from job duties and be required to undergo a reasonable suspicion prohibited substance or alcohol test. Employees failing to pass this reasonable suspicion prohibited substance or alcohol test shall remain off duty and be referred to an SAP. A prohibited substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the DOT guidelines (49 CFR Part 40).
3. **Alcohol Use.** No employee may report for duty or remain on duty when his/her ability to perform assigned functions are adversely affected by alcohol.. No employee shall use alcohol during working hours.. Violations of this provision are prohibited and will subject the employee to disciplinary action, up to and including termination, and may include removal from safety-sensitive duty and referral to an SAP.
4. **Compliance with Testing Requirements.** All safety-sensitive employees are subject to randomized prohibited substance testing and breath alcohol testing. Any safety-sensitive employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately and be referred to an SAP. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.
5. **Treatment/Rehabilitation Program.** An employee who tests positive for a prohibited substance and/or alcohol will be afforded an opportunity for treatment in accordance with the following provisions:
  - a. **Positive Substance and/or Alcohol Test.** The option to attend a Rehabilitation Program is available for employees who have tested positive for a prohibited substance on a one-time basis only. Employees will be terminated immediately on the occurrence of a second event with a verified positive test result. Program costs and subsequent prohibited substance and/or alcohol testing costs will be paid by the employee. When recommended by the SAP, participation, and completion of the rehabilitation program, is mandatory. Failure of an employee to attend and complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to and sign a Return-To-Duty Agreement. The duration and frequency of follow-up testing will be determined by the SAP but will not be shorter than 1 year or longer than 5 years.
  - b. **Voluntary Admittance.** All employees who feel he or she requires treatment for use of prohibited substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to Human Resources for review. Program costs and subsequent prohibited substance and/or alcohol testing costs will be paid by the employee. An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test and be subject to unannounced follow-up testing for 36 months following return to duty. A positive result on the return-to-duty test or on the unannounced follow-up tests may result in discipline up to and including termination of employment. The District will comply with its obligations under state and federal law.



6. **Leave Time.** Participants in the rehabilitation program may use accumulated sick leave, vacation, and floating holidays, if any. If no time is available, any leave granted will be unpaid, and participants will not accumulate vacation or sick time while on leave, and will not be paid for District Holidays, under any circumstance.

3205.7 **Notifying the District of Criminal Drug Conviction.** Pursuant to the "Drug-Free Workplace Act of 1988," any employee subject to the Act who fails to immediately notify the District of any criminal drug or alcohol statute conviction shall be subject to disciplinary action, up to and including termination of employment.

3205.8 Safety-sensitive employees who are convicted of driving under the influence of or while impaired by drugs or alcohol, or otherwise have his or her driving license suspended and are unable to perform his or her regular essential duties, will be removed from duty and placed on unpaid leave until the employee is able to perform his or her regular essential duties. Employees who are unable to return to his or her regular essential duties under this section due to permanent loss of license, or refusal to complete requirements to return to work, shall be subject to disciplinary action, up to and including termination of employment.

3205.9 **Proper Application of the Policy.** The District is dedicated to ensuring the fair and equitable application of this Substance Abuse Policy. Therefore, supervisors and management personnel are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor, manager, or human resources employee who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to his/her subordinates, shall be subject to disciplinary action, up to and including termination of employment.

3205.10 **Testing for Prohibited Substances.** Analytical urine prohibited substance testing and breath testing for alcohol will be conducted as required under DOT guidelines. All employees shall be subject to testing prior to a final offer of employment and for reasonable suspicion, and in some instances, following an accident or near-miss to which the employee might have contributed. All safety-sensitive employees shall be subject to testing randomly following an accident, as defined in the DOT guidelines. An accident is defined as an event leading to a fatality, a citation issued by a law enforcement official to the driver, bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or one or more vehicles incurs disabling damage as a result of the accident that renders the vehicle unable to be legally driven or requires the vehicle to be transported away from the scene by a tow truck or another vehicle. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a prohibited substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to 5 years, as determined by an SAP. Safety-sensitive employees who perform safety-sensitive functions as defined in Appendix A and in the DOT guidelines (49 CFR Part 40) shall also be subject to testing on a randomly selected and unannounced basis.

3205.11 Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities that have been approved by the Department of Health and Human Services (DHHS), including split-sample testing. All testing will be conducted consistent with the procedures put forth in the DOT guidelines.

3205.12 An initial prohibited substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the prohibited substance levels present are above the minimum thresholds established in the DOT guidelines.

3205.13 Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device

(EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02, but less than 0.04, will be removed from his/her position under the provisions of Section 3205.14 below, unless a retest within 15-20 minutes results in an alcohol concentration of less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

3205.14 Any employee who has a confirmed positive prohibited substance or alcohol test as defined in Section 3205.13 will be removed from his/her position, placed on unpaid leave, informed of educational and rehabilitation programs available, and must obtain and submit an evaluation by an SAP. Employees with a confirmed positive prohibited substance or alcohol test may be subject to disciplinary action, up to and including termination. The District affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. However, the District may be obligated under certain circumstances to divulge information to authorized recipients, and complete confidentiality is not guaranteed.

### 3205.15 **Circumstances Under Which Employees May be Tested.**

1. **Pre-Employment Testing.** All job applicants who have been offered District employment requiring the regular performance of safety-sensitive tasks, as well as current employees who promote, demote, or transfer to safety-sensitive positions, shall undergo urine prohibited substance testing prior to employment. Receipt of satisfactory test results is required prior to his or her employment and failure of a prohibited substance test will disqualify the candidate from further consideration for employment. Current employees who promote, demote, or transfer to safety-sensitive positions shall be required to test negative prior to his or her assignment. The District will obtain records from previous employers of new employees to conform to DOT guidelines. Probationary employees who receive a positive alcohol and/or substance abuse test, or who fail to provide "clean" records from previous employers, will fail to complete the District's probationary period.
2. **Reasonable Suspicion Testing.** All employees will be subject to urine and/or breath testing when there is a reason to believe that the employee is under the influence of prohibited substances or alcohol while performing his or her job duties or on District property. A reasonable suspicion referral for testing will be made on the basis of documented, objective facts and circumstances which are consistent with the effects of substance abuse.
3. Reasonable suspicion determinations will be made by a supervisor or other designated individual who is trained to detect the signs and symptoms of prohibited substance and alcohol use and reasonably concludes that an employee may be using a prohibited substance while performing his or her job duties or on District property. Examples of reasonable suspicion include, but are not limited to, the following:
  - a. Adequate documentation of unsatisfactory work performance or on-the-job behavior that indicates the use of prohibited substances.
  - b. Physical signs and symptoms, including appearance, behavior, speech, or body odors, consistent with prohibited substance use.
  - c. Occurrence of a serious or potentially serious (near-miss) accident that appears to have been caused by a lapse in judgment or reflexes by the employee, or that otherwise appears to have been caused by the use of a prohibited substance by the employee.

- d. Fights (i.e., physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operational procedures.
4. **Post-Accident Testing.** All employees, whether or not in a position classified as safety-sensitive, will be required to undergo prohibited substance and/or breath alcohol testing if he or she is involved in an accident while operating or assisting in the operation of a motor vehicle for District business that results in a fatality, injury to any person requiring transport to a medical facility, or damage to a vehicle requiring towage from the site. In addition, if the employee is operating a commercial motor vehicle for District business and receives a citation for a moving traffic violation arising from the incident, the employee will be required to undergo testing, regardless of the nature of the incident. An employee may also be required to undergo prohibited substance and/or breath alcohol testing if he or she is involved in a “near miss” accident which leads to a Reasonable Suspicion determination (see Section 3205.14.3) or if he or she is involved in multiple “near-miss” accidents within a short duration.
5. Following an accident in which testing is required, all employees whose performance could have contributed to the accident will be tested for prohibited substances as soon as possible, preferably within 2 hours of the incident. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to prohibited substance and alcohol testing will be considered to have refused the test and be subject to termination of employment. Post-accident testing covers not only the operation personnel but any other employees whose performance could have contributed to the accident.
6. **Random Testing.** Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested during working hours and will be paid for the time taken to test. All testing will be paid by the District.
7. When safety-sensitive employees are off work due to long-term layoffs, illness, injury, or vacation, the employee’s name will be placed back into the pool and another employee’s name selected.
8. The number of safety-sensitive employees selected for random testing will be the amount required by DOT guidelines. Currently, 10% of the employee pool is tested for alcohol and 25% for substance abuse. The employee pool will either be all District safety-sensitive employees, or, if the District participates in a consortium of employers, all safety-sensitive employees within the consortium.
9. **Return-to-Duty Testing.** All employees who previously tested positive for a prohibited substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty. Employees will be required to undergo unannounced follow-up prohibited substance and/or alcohol breath testing following returning to duty. The SAP will determine the duration and frequency. However, it shall not be less than six tests during the first 12 months, nor longer than 60 months in total, following return to duty.
10. **Employee Requested Testing.** Any employee who questions the result of a required prohibited substance or alcohol test may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS-certified

laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT guidelines. The employee's request for a retest must be made to his or her supervisor or to Human Resources within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

11. **Records Retention.** The District shall maintain complete records of alcohol and/or prohibited substance test results for each employee in a secure location with controlled access. Employee records are confidential and will be available only to the DOT or any government or law enforcement agency authorized by law to access the records. Records will be kept for a minimum of 5 years regarding the following: driver alcohol tests; positive prohibited substance tests; documentation on refusals to take alcohol or prohibited substance tests; and, employee evaluations and referrals. Records will be kept for a minimum of 2 years regarding the alcohol and prohibited substance collection process. Documentation of the random selection process will be kept for a minimum of 1 year.

3205.16 **Employee Assessment.** Any employee who tests positive for the presence of prohibited substances or whose breath alcohol concentration is above the minimum thresholds set forth in the DOT guidelines will be assessed by an SAP. An SAP is a District selected licensed physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinically experienced in the diagnosis and treatment of drug and alcohol-related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance or alcohol abuse or misuse. If an employee is returned to duty following rehabilitation, he/she must agree to and sign a Return-to-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test and be subject to unannounced follow-up tests for a period of 1 to 5 years, as determined by the SAP. The cost of any rehabilitation and subsequent prohibited substance and/or alcohol testing is borne by the employee and is on a one-time basis only. Subject to applicable state and federal laws, an employee may be terminated from employment on the occurrence of a second verified positive test result. Employees may use accumulated sick leave, vacation, administrative leave, and/or floating holidays, if any, to participate in the prescribed rehabilitation program.

3205.17 **Test Related Time-Off Work Provisions.** Any employee who is relieved from duty due to a positive alcohol or prohibited substance test must use accumulated compensated leave (i.e., vacation, sick leave, and administrative leave) during the regularly scheduled work time missed. If the employee has insufficient accumulated compensated leave to cover the regularly scheduled work time missed due to a positive alcohol or prohibited substance test, such time shall be without pay. Leave taken to participate in the prescribed rehabilitation program is not eligible for the Employee Leave Donation Program (Policy 3225). In the event there is a false positive test the District, upon verification, will compensate the employee for any regularly scheduled work time missed as a result thereof.

3205.18 **Contact Person.** Any questions regarding this policy should be directed to Human Resources or to the General Manager.

3205.19 **FMCSA Clearinghouse.** The District is prohibited from allowing any driver with a Class "A" or Class "B" Commercial Driver's License that has committed a testing violation and has not completed the return-to-duty process as outlined in this policy to perform safety-sensitive functions. Drivers will be notified by the Federal Motor Carrier Safety Administration (FMCSA) when the District obtains information from the

Clearinghouse regarding the violation, or when information concerning the commercial driver is added, revised, or removed (Policy 3206).

1. The following violations or milestones will be reported to the Clearinghouse for any drivers who are subject to the Clearinghouse rules. The District, its service providers, its Medical Review Officer(s), and/or its Substance Abuse Professional(s) (SAPs) are required by FMCSA directed to report:
  - a. Any verified positive, adulterated, or substituted DOT drug test
  - b. Any validated DOT alcohol test of 0.04 or higher
  - c. Any refusal to submit to a DOT required drug or alcohol test
  - d. Any confirmed and recorded "actual knowledge" that the driver violated the DOT drug or alcohol rules, including:
    1. Any on-duty alcohol use, including any citation for driving under the influence of alcohol (DUI/DWI) while driving a commercial motor vehicle
    2. Any alcohol use within 4 hours before going on duty
    3. Any alcohol use within 8 hours of an accident or before a post-accident test is complete (whichever is first)
    4. Any prohibited drug use while on duty
  - e. Successful completion of the return to duty process following treatment
  - f. Any negative DOT return-to-duty test
  - g. Successful completion of follow-up testing
2. Commercial Drivers must grant consent for the District to purchase Clearinghouse reports:
  - a. Prior to employment with the District, all commercial drivers must create a Clearinghouse account and log in to permit the District consent to acquire a "full" query report.
  - b. Commercial drivers must sign a separate Consent "for Limited Queries" form allowing the District access to "limited" queries each year.
  - c. The District will notify the commercial driver that he or she must immediately log in to the Clearinghouse to provide permission so that the District may obtain the driver's full Clearinghouse record if a limited query exposes information about the driver.
  - d. A commercial driver who refuses to grant the consent described above will not be allowed to perform any safety-sensitive duties as defined in §382.107. The commercial driver will not be allowed to resume the safety-sensitive duties until the driver has granted the mandatory consent, the District then obtains the report, and the Clearinghouse query shows that the driver is eligible to carry out safety-sensitive duties. If the commercial driver is not allowed to perform any safety-sensitive duties as a result of refusal to grant consent as described, the employee may be eligible for disciplinary action, up to and including termination of employment.
3. Notice of Violations. Commercial drivers are required to notify the District in writing if he or she has violated the drug and/or alcohol prohibitions of 49 CFR Parts 40 or 382 while employed with the District. The statement must be received before the end of the business day the day after the commercial driver received notification of the violation or prior to performing any safety-sensitive duties, whichever comes first.
4. Use of Information. The District will only use the information obtained from the Clearinghouse to determine if the commercial driver is prohibited from performing safety-sensitive duties. The District will not divulge, nor permit any other person to divulge, any driver-specific information from the Clearinghouse to any person or entity not directly involved in making such determination.

## PROCEDURES

### 3205.21 Reasonable Suspicion Testing.

1. An employee who displays objective signs indicating he or she may be under the influence of alcohol and/or prohibited substances, according to a supervisor trained to detect such signs, or other designated, trained individual (for convenience, referred to hereinafter as "supervisor"), shall be subject to reasonable suspicion testing.

Any employee may identify someone suspected of alcohol and/or prohibited substance abuse to any supervisor. The supervisor must witness first-hand the employee's signs and symptoms. Note: Employees should consider that it is against District policy to make false or malicious statements about other employees and that doing so can result in disciplinary action.

2. The supervisor is then obligated to ensure that the matter is immediately investigated. An incident report is written and signed by the supervisor and submitted to Human Resources.
3. When the supervisor(s) reasonably suspect and believe that the employee may be under the influence of alcohol and/or prohibited substances, the employee is then immediately suspended from duty (with pay) and driven by a designated District employee (or others designated) to the District's specified collection site. Testing facilities require the employee in question to show proof of identification, such as a driver's license photo or state-issued photo identification card.

Whenever practical, Human Resources and the General Manager (or his/her designee) should be notified in advance of the employee being taken to the collection site.

4. At the collection site, the employee will be required to submit a urine sample in the event that prohibited substances are suspected, or a breath sample in the event that alcohol intoxication is suspected by the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
5. The District will take precautions to prevent the employee being tested from going back to work and driving his or her own car home if any of the tests are positive. Instead, the employee will be taken home from the collection by a District employee (or others designated).
6. The employee whose test results are negative (0.02 alcohol concentration or less, and no indication of prohibited substances) will be reinstated immediately. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for 24 hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, the presence of any illegal substance, or the presence of any legal, controlled substance (medication) for which there is no valid medical explanation provided in writing by a medical doctor<sup>1</sup>, will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted

<sup>1</sup> In the event that an employee is found to be using a legally prescribed medication, the justification for which is provided in writing by a medical doctor, the District will evaluate whether the use of the legal controlled substance impairs the employee's ability to safely perform his or her job, and reserves the right to reassign, suspend, or terminate the employee, if appropriate, in accordance with applicable state and federal laws.

by the District, must be followed by the employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

7. The employee whose prohibited substance test results are verified negative will be reinstated immediately. The employee whose prohibited substance test is verified positive by the Medical Review Officer<sup>2</sup> will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

### 3205.22 **Random Testing.**

1. The compliance company or consortium notifies Human Resources, who in turn notifies the supervisor to send the safety-sensitive employee to the collection site for alcohol and/or prohibited substance testing.
2. The supervisor notifies the safety-sensitive employee to go to the collection site for alcohol and/or prohibited substance testing immediately. Because of a testing facility requirement, the safety-sensitive employee sent to the collection site must have proof of identification, such as a driver's license photo or state-issued photo identification card.
3. At the collection site, the safety-sensitive employee will be required to submit a urine sample (in the event that prohibited substances are to be tested for) or a breath sample (in the event that alcohol is being tested for) to the on-duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample.
4. The safety-sensitive employee whose test results are negative (0.02 alcohol concentration or less and no indication of prohibited substances) will be released to return to work. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for 24 hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, the presence of any illegal substance, or the presence of any legal, controlled substance (medication) for which there is no valid medical explanation provided in writing by a medical doctor<sup>3</sup>, will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the safety-sensitive employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted

<sup>2</sup> A Medical Review Officer is a licensed physician responsible for analyzing laboratory results generated by the District's substance abuse policy testing program.

<sup>3</sup> See footnote 1.

recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the safety-sensitive employee's termination of employment.

5. The safety-sensitive employee whose prohibited substance test results are verified negative will then be released to return to work. The safety-sensitive employee whose prohibited substance test is verified positive by the Medical Review Officer will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the safety-sensitive employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the safety-sensitive employee's termination of employment.

### 3205.23 **Post Accident.**

1. The employee performing a safety-sensitive function, including operating a motor vehicle, notifies a supervisor that an accident or a near-miss has occurred.
2. The supervisor determines that the circumstances of the accident or near-miss warrant a post-accident test in accordance with DOT guidelines. The supervisor may confer with Human Resources and/or the General Manager to determine whether a post-accident test is warranted. Then, the supervisor drives the employee or designates someone to drive the employee immediately to the collection site for alcohol and prohibited substance testing. The testing facility requires the employee in question to have proof of identification, such as a driver's license photo or state-issued photo identification card.
3. An incident report is written and signed by the supervisor and submitted to Human Resources.
4. At the collection site, the employee will be required to submit a urine sample for prohibited substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
5. The General Manager (or his/her designee), and Human Resources will be notified that an accident has occurred and that the employee was instructed to go to the collection site.
6. The employee whose test results are negative (0.02 alcohol concentration or less and no indication of prohibited substances) will be released to return to work. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for 24 hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, or the presence of any illegal substance or controlled, legal substance for which there is no valid medical explanation provided in writing by a medical doctor<sup>4</sup>, will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. In the case of a negative dilute result, the

<sup>4</sup> See footnote 1.



District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

7. The employee whose prohibited substance test results are verified negative will be released to return to work. The employee whose prohibited substance test is verified positive by the Medical Review Officer will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No section collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

#### **3205.24 Return to Work and Follow Up.**

1. The compliance company or consortium notifies the District to send the employee to the collection site for alcohol and prohibited substance testing.
2. The supervisor notifies the employee to immediately go to the collection site for alcohol and prohibited substance testing. The testing facility requires the employee in question to have proof of identification, such as a driver's license photo or state-issued photo identification card.
3. At the collection site, the employee will be required to submit a urine sample for prohibited substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
4. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02, or whose prohibited substance test is verified positive<sup>5</sup>, will be terminated from employment.

#### **3205.25 Chain of Custody for Specimens.**

1. At the time a specimen is collected, the employee will be given a copy of the specimen collection procedures.
2. Urine will be in a wide-mouthed clinic specimen container which will remain in full view of the employee until split, transferred to, sealed and initialed in two tamper-resistant urine bottles.
3. Immediately after the specimens are collected, the urine bottles will, in the presence of the employee, be labeled and then initialed by the employee. If the sample must be collected at the site other than the prohibited substance and/or alcohol testing laboratory, the specimens will be placed in the transportation container. The container will be sealed in the employee's presence and the employee will be asked to initial or sign the container. The container will be

<sup>5</sup> See footnote 1.

sent to the designated testing laboratory on that day or the earliest business day by the fastest available method.

4. A chain of custody form will be completed by the on-duty technician during the specimen collection process and attached to and mailed with specimen.

#### 3205.26 **Specimen Collection of Strange and/or Unrecognizable Substances.**

1. An employee is observed with a strange and/or unrecognizable substance reasonably suspected to be a prohibited substance.
2. The supervisor, in the presence of a witness, places the strange and/or unrecognizable substance in a clear plastic bag. The bag is sealed, labeled, and signed by both the supervisor and the witness.
3. An incident report is written by the supervisor and signed by both the supervisor and the witness.
4. The plastic bag containing the specimen and a copy of the incident report is taken to the collection site for transportation to the laboratory for analysis.

#### 3205.27 **Alcohol Concentration.**

1. The employee and the on-duty Breath Alcohol Technician (BAT) at the testing facility complete the alcohol testing form to ensure that the results are properly recorded.
2. After an explanation of how the breathalyzer works, an initial breath sample is taken.
3. If the results of the initial test show an alcohol concentration of 0.02 or greater, a second or confirmation test must be conducted. The confirmation test must not be conducted less than 15 minutes after, nor more than 20 minutes after the screening test.
4. The confirmation test will utilize Evidential Breath Testing (EBT) devices that print out the results, date and time, a sequential test number, and the name and serial number of the EBT device to ensure the reliability of results.

3205.28 **Deviations from Procedures.** Unless otherwise provided in DOT guidelines, deviations from the foregoing procedures shall not invalidate the results of any prohibited substance tests verified positive by the Medical Review Officer.

References: DOT 49 CFR Part 382  
<https://www.ecfr.gov/cgi-bin/retrieeECFR?gp=1&ty=HTML&h=L&mc=true&=PART&n=pt49.5.382>

DOT 49 CFR Part 40  
<https://www.ecfr.gov/cgi-bin/text-idx?SID=44edbc0e557a4cc5ff03365810ee5b1c&mc=true&node=pt49.1.40&rgn=div5>  
OR  
<https://www.gpo.gov/fdsys/pkg/FR-2017-11-13/pdf/2017-24397.pdf>

DOT 49 CFR Part 29

<https://www.gpo.gov/fdsys/granule/CFR-1999-title49-vol1/CFR-1999-title49-vol1-part29>

Drug-Free Workplace Act of 1988

<https://www.gpo.gov/fdsys/pkg/USCODE-2009-title41/pdf/USCODE-2009-title41-chap10.pdf>

## APPENDIX A

### SAFETY SENSITIVE CLASSIFICATIONS AND FUNCTIONS

#### **Safety-Sensitive Classifications**

Water Utility Worker I  
Water Utility Worker II  
Senior Water Utility Worker  
Water Utility Supervisor  
Water Production Operator I  
Water Production Operator II  
Water Production Supervisor  
Water Utility Superintendent  
Maintenance Technician  
Recycled Water Supervisor

#### **Safety-Sensitive Functions**

- Operating any vehicle where a Class A or Class B driver's license would be required.
- All tasks that involve the operation of heavy equipment, use of hand tools, and any function in which the employee's performance, reflexes, and/or judgment impact the safety of the employee or others.

**APPENDIX B**

**VOLUNTARY PARTICIPATION IN RANDOM TESTING**

Although my classification is not considered safety-sensitive, I may volunteer at various times to perform a safety-sensitive function. In adherence to the District's policy on random alcohol and controlled substance testing of employees performing safety-sensitive functions, I hereby agree to be included in the pool of employees selected for such testing. I further agree that my voluntary submission to alcohol and controlled substance testing requires that I will follow all related procedures as described in the Employee Policy Manual, and that a positive test result will be handled in the same way it would for an employee regularly in a safety-sensitive classification.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name Printed

**POLICY TITLE: FMCSA CLEARINGHOUSE REGISTRATION**  
**POLICY NUMBER: 3206**

3206.1 **FMCSA Clearinghouse.** The Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse is a secure, online database that provides employers and other authorized users real-time information about commercial driver's license (CDL) and commercial driver's permit (CLP) holder's drug and alcohol program violations.

3206.2 Any driver who holds a CDL, such as a California Class "A" or Class "B" license and meets the requirements of the CDL standards (49 CFR Part 383), and the FMCSA Drug and Alcohol Testing Program (Part 382), and CLP holders are "covered drivers" under the Clearinghouse.

3206.3 Covered drivers who are employed by the District are required to have an online account at clearinghousefmcsa.dot.gov and are highly encouraged to provide a personal email address so that he or she can be contacted. Covered drivers are permitted to see his or her own Clearinghouse records free of charge and may challenge the accuracy of the information reported to the Clearinghouse, but not the accuracy of test results or refusals using the procedures listed in §382.717 (Policy 3205). Covered drivers must register with the FMCSA Clearinghouse within 48 hours upon being notified to register by the District.

3206.4 Candidates for employment with a conditional offer of employment with the District and meet the requirements of a "covered driver" as defined in section 3206.2, are required to have an online account at clearinghousefmcsa.dot.gov and are highly encouraged to provide an email address so that he or she can be contacted. Candidates for employment are permitted to see his or her own Clearinghouse records free of charge and may challenge the accuracy of information reported to the Clearinghouse, but not the accuracy of test results or refusals using the procedures listed in §382.717 (Policy 3205).

3206.5 **Use of Information.** The District will only use the information obtained from the Clearinghouse to determine if the driver is prohibited from performing safety-sensitive duties. The District will not divulge, nor permit any other person or entity to divulge, any driver-specific information from the Clearinghouse to any person or entity not directly involved in making such determination.

3206.6 **Designated Employer Representative.** The Human Resources Coordinator serves as the District's Designated Employer Representative (DER). The DER is responsible for conducting the District's Annual Queries, Pre-Employment Queries, Violation Reporting, and Return-to-Duty Reporting in the FMCSA Clearinghouse. The DER also serves as the custodian for all records required by the Department of Transportation (DOT).

**POLICY TITLE: PRESS RELATIONS AND SOCIAL MEDIA POLICY**  
**POLICY NUMBER: 5100**

5100.1 **Purpose.** The purpose of the press relations and social media policy is to work supportively with press relations (media) and to disseminate information of public interest and concern in an accurate, complete, and timely manner. Public Relations and Social Media are vital in outreach efforts that help engage the community quickly and relevantly. It allows stakeholders to communicate with the District and quickly access important information. The District currently manages social media activities across several platforms, such as Facebook, Twitter, and YouTube. This policy will establish clear guidelines for the appropriate use of current policies, which may be updated from time to time and future press relations and social media activities.

5100.2 **Press Relations and Social Media Use.** The District will use press relations and social media to share timely, relevant information that keeps stakeholders up to date on what is happening in the District and with water in his or her community. The goal of social media activity will be to share information about District subjects, events, reminders, District updates, or other District press relations and informal notices. Social media shall also share critical information that needs to reach stakeholders quickly. The use of social media is to complement but not replace other communication methods regarding District activities and business.

1. The General Manager or his/her designee is designated as the District's Public Information Officer (PIO) and is responsible for implementing this policy. When the PIO is unavailable, he or she shall select an authorized designee.
2. The PIO shall coordinate District responses with the Board President to ensure the District meets the Board of Director's communications goals.
3. Employees and elected officials who engage with consumers or members of the Press shall use courtesy, politeness, and professionalism. Any media inquiries received by district staff will be referred immediately to Department Directors or the General Manager (if any Department Director is unavailable), who shall directly forward the media inquiry and contact information to the PIO and Board President (as necessary) for a response.
4. The General Manager, the Board President, or his/her designee will prioritize inquiries from the news media and respond as efficiently as possible.
5. When contacted by the PIO for information needed to respond to a media inquiry, all staff shall provide the PIO with accurate and complete information available for the response. The General Manager or Designee will identify if additional time is needed to address a media inquiry.
6. At the discretion of the PIO and the Board President, if it is determined that a District response is best achieved by having staff or a consultant speak on behalf of the District on a particular topic, he or she may designate an authorized spokesperson to assist with the District's response.
7. To assure that all members of the Board of Directors have accurate, complete, and timely information to fulfill responsibilities to represent the District affairs, members of the Board of Directors shall inform the PIO by email of the substance of significant media inquiries and for an official response.
8. The General Manager must approve official BCVWD social media accounts before being established. The PIO and the assigned social media administrators will manage or post on social media platforms.

9. Content shared on District social media platforms shall comply with Section 5100.6 below. "Content" includes, but is not limited to, posts, shares, comments, likes, intentions, and reactions.
10. While an informal tone is appropriate, communication via social media represents the District and shall remain professional. Official District social media shall not be used for political purposes, conduct private commercial transactions, engage in private business activities, or other personal use. Inappropriate use of official District social media may result in disciplinary action, up to and including termination of employment.
11. Assigned staff and management shall monitor and evaluate social media platforms on an ongoing basis.

#### **5100.3 Personal Use of Social Media.**

1. District employees and the Board of Directors may have personal accounts on any social media platform of his or her choice. These accounts shall remain private and shall not be used to share work-related information.
2. District employees and the Board of Directors shall avoid using personal accounts to comment on posts regarding official District business.
3. District email accounts and passwords shall not be used with personal social media accounts.

#### **5100.4 General Policies.**

1. All District accounts shall clearly state they are maintained by the District and include the official logo. The assigned social media administrator will fully understand and comply with user agreements for each social media platform. Administrators will also comply with state and federal regulations and District policies.
2. Social media content shall reflect the District's mission, vision, values, and initiatives. The BCVWD assigned consultant or the assigned social media administrator should monitor social media accounts, content, and conversations on a frequent, ongoing basis. Images may not include photos of a person or private property without written consent.
3. Model releases shall be used to obtain the permission of identifiable people. Images, videos, and graphics that do not belong to the District must be vetted to ensure copyright laws do not protect him or her or that the intended use falls within fair-use standards.
4. The District shall cite the source of any image, graphic, or video not owned by the District. Free-use photos can be found using stock photography sites or advanced search engine features.
5. Social Media accounts, including the administrative account access, shall be established, controlled, and managed by BCVWD Information Technology Department with the direction and approval of the General Manager or his/her designee.

#### **5100.5 Correcting Misinformation.**

Responding to public comments or questions and diffusing potentially harmful conversations is a critical component of social media management. The social media administrator shall conduct frequent reviews of social media accounts, correct any misinformation, and notify the General Manager or designee immediately in the event



of an adverse situation. If the situation cannot be resolved, the social media administrator will publicly provide District contact information or other resources and follow up with stakeholders privately regarding his or her concerns.

**5100.6 Content Policies.** Social media content shall be posted consistently, regularly, and with timely and relevant information. Posts shall be scheduled in advance while also allowing flexibility to implement changes and share urgent information quickly and efficiently.

1. Posts can include but are not limited to: emergencies; water supply and conservation information; District updates on initiatives, objectives, and projects; community engagement; leaks, service outages, maintenance/repairs; press releases, holiday closures, and more.
2. Social media administrators shall use the best judgment when posting or engaging on platforms and determining what is suitable to share on behalf of the District. Topics to avoid include legal claims or lawsuits, personnel matters, controversial issues, personal opinions, and political issues.
3. When applicable, content shall be explicitly tailored to each platform's audience and user experience. For example, platforms such as Nextdoor provide an opportunity to engage with a population interested in safety, events, and community. In contrast, platforms such as Instagram provide a way to connect with stakeholders in a fun, visually-based manner. Facebook allows an image with more detail than platforms like Twitter, but both enable linking to additional information.
4. Information shall be relevant to the District's intended audience, presented clearly, and easily understood. Content shall always include proper grammar, spelling, and appropriate tone. The social media administrator will always check facts before posting any information.

**5100.7 Prohibited Content.** Responses from the public that include prohibited content will be removed at the discretion of the General Manager or his/her designee. District staff and representatives of BCVWD who violate this policy and any social media accounts that violate this policy may be subject to disciplinary action, up to and including termination of employment. Content containing any of the following material will be removed immediately. Inappropriate content includes, but is not limited to:

1. Violence, profanity, obscenity, nudity, or pornographic content or language,
2. The content is found to discriminate against any creed, race, gender, sexual orientation, age, religion, or national origin, as well as any other category protected by state or federal laws,
3. Threats, slander, or defamation of any kind,
4. Illegal acts of any kind or encouragement thereof,
5. Information that compromises the security or well-being of any District staff member, partner, resident, or stakeholder,
6. Comments, links, posts, advertisements, or articles soliciting business or commerce,
7. Content that violates copyright laws, or

8. Content that violates local, state, or federal laws.

5100.8 **Emergency Response.** Social media use shall be limited to the District's PIO, Board President, or as authorized, Board members or designated spokespeople in an emergency or crisis scenario. Social media activities shall occur to announce an emergency, provide updates during the emergency, and share when the emergency is resolved. The District's emergency updates are not intended to take responsibility for emergency communications for regional emergencies; rather, the District will communicate information specifically relating to the District and water service.

5100.9 **State Regulations.** All District content, including social media posts, comments, messages, and other interactions, shall be mindful of and comply with the following state regulations:

1. **California Public Records Act.** All social media content found on BCVWD accounts may be subject to the California Public Records Act. Content posted-- including prohibited and non-prohibited content, responses to comments, and messages from the public-- shall be monitored, tracked, and retained so that it can be easily retrieved if necessary, according to Public Record Act laws.
2. **Ralph M. Brown Act.** The Brown Act protects the public's right to attend and participate in meetings of local legislative bodies, such as meetings held by a Board of Directors. All Brown Act rules shall be followed when engaging online, including on social media. Interactions between Board members on social media platforms, including comments and messages, can be regarded as a meeting. The Board of Directors is encouraged to follow the Brown Act when engaging in posts or discussions.
3. **Fair Political Practices Commission (FPPC).** The Fair Political Practices Commission (FPPC) is designed to ensure the fairness and integrity of California's political process by enforcing the Political Reform Act. Regulations state that all Board members must be represented equally regarding public outreach, media relations, and social media. Use of pictures, quotes, or other social media content involving Board members must comply with FPPC regulations.

5100.10 **Ongoing Evaluation.** The District shall continuously review social media accounts to ensure alignment with the District Board of Directors' policy direction and District-defined mission, vision, directives, and policies and procedures. District issues identified by staff that are not aligned with the said mission, vision, directives, and policies and procedures shall be corrected, deleted, or adjusted.

5100.11 **Personal Opinion.** The Board of Directors members and District Employees have the right to express an opinion regarding matters of public concern. Members of the Board of Directors and District employees who write correspondence to media or post on social media platforms may not use official district stationary or items symbolizing a direct connection to BCVWD. If a member of the Board of Directors or BCVWD employee identifies as a district representative on a Personal Opinion correspondence, email, or social media posts, he or she shall state that his or her outlined views do not represent the views of the District but of the individual's opinion.

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**POLICY TITLE: PAY PERIODS**  
**POLICY NUMBER: 3025**

3025.1 The pay period shall commence on Sunday at 12:00~~1~~ A.M. and continue until 11:59 P.M. ~~12:00 Mid-~~  
~~night~~ the second Saturday following. Payday shall occur on the Thursday following the end of the pay period.

3025.2 The work week shall consist of 168 consecutive hours beginning on Sunday at 12:00 A.M. and ending the following Saturday at 11:59 P.M.

C. **Life Insurance.** Life Insurance shall be provided at the regular employee's current regular rate of pay, at the time of death, equal to one year's salary.

**13. PAY PERIODS**

A. The pay period shall commence on Sunday at 12:01 A.M., and continue until 12:00 Midnight the second Saturday following. Payday shall occur on the Thursday following the end of the pay period.

**14. GIFT ACCEPTANCE GUIDELINES**

A. Policy. An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits of or greater than a \$25 value.

**15. OUTSIDE EMPLOYMENT**

- A. No District employee shall be permitted to accept employment in addition to or outside of District service if:
  - i. The additional or outside employment leads to a conflict or potential conflict of interest for said employee;
  - ii. The nature of the additional or outside employment is such that it will reflect unfavorably on the District; or,
  - iii. The duties to be performed in the additional or outside employment are in conflict with the duties involved in District service.
- B. **District Resources.** An employee who does have additional or outside employment shall not be permitted to use District assets including records, materials, equipment, facilities, vehicles or other District resources in connection with said employment.

**16. LETTERS OF RECOMMENDATION**

A. Requests. The General Manager shall process all requests for references and letters of recommendation.

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**POLICY TITLE: GIFT ACCEPTANCE GUIDELINES**  
**POLICY NUMBER: 3030**

3030.1 An employee or his or her immediate family may not accept from, or provide to, individuals of companies seeking to do business with the District, gifts, entertainment, services, or benefits unless the transaction meets all of the following guidelines:

1. Is customary and does not give the appearance of impropriety.
2. Does not impose any sense of obligation on either the giver or the receiver.
3. Does not result in any kind of special or favored treatment.
4. Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at District expense, and
5. Is given and received with no effort to conceal the full facts by either the giver or receiver.

3030.2 A gift is considered anything that confers a personal benefit, including a rebate or discount not given to the public, for which an employee does not provide payment or services of equal or greater value. An employee or his/her immediate family (as defined in Fair Political Practices Commission (FPPC) Regulation 18943) may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services, or benefits from any single source totaling more than the calendar year maximum published by the FPPC, of greater than a \$25 or more value.

3030.3 Employees of the District who are designated in the District's conflict of interest code (and therefore are required to file a Statement of Economic Interests Form 700 annually), may not accept gifts from any single source totaling more than the calendar year maximum published by the FPPC in a calendar year (Gov. Code §89503(ac)).

3030.4 Gift Exceptions. The following are exceptions to the definition of gift and are not considered gifts or income under this policy.

1. Return or Reimbursement of Gift. Items that are returned unused or reimbursed to the donor within 30 days of receipt.
2. Donation of Gift to Nonprofit Group. Items that are donated unused to a non-profit, tax-exempt organization or a government agency within 30 days of receipt, without a tax deduction claim.
3. Gifts from Family. Gifts from the public official or employee's spouse, child, parent, grandparent, grandchild, brother, sister, current or former parent-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin or the spouse of any such person, great grandparents, great uncles and aunts, great-nieces and nephews, and first cousins once removed.
4. Informational Material. Informational material provided to assist the public official or employee in the performance of their duties, including books, reports, pamphlets, calendars, periodicals, videotapes, or free admission or discounts to informational conferences or seminars.
5. Inheritance.
6. Plaques. Personalized plaques and trophies with an individual value of less than \$250 (Gov. Code §82028(b)(6); Regulation 18942(a)(6)).
7. Items Provided to District. Items provided to the District and used by employees for District business, such as a vendor sample or demonstration.
8. Ceremonial Role. Free admission to a ticketed event for the public official or employee and one guest, where the public official or employee performs a ceremonial role.
9. Event Where Official Makes a Speech. Free admission, food, and nominal items available to all attendees, at an event where the public official or employee makes a speech.
10. Attending Wedding Reception. Benefits received as a guest to a wedding reception where the

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C. **Life Insurance.** Life Insurance shall be provided at the regular employee's current regular rate of pay, at the time of death, equal to one year's salary.

**13. PAY PERIODS**

A. The pay period shall commence on Sunday at 12:01 A.M., and continue until 12:00 Midnight the second Saturday following. Payday shall occur on the Thursday following the end of the pay period.

**14. GIFT ACCEPTANCE GUIDELINES**

A. Policy. An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits of or greater than a \$25 value.

**15. OUTSIDE EMPLOYMENT**

- A. No District employee shall be permitted to accept employment in addition to or outside of District service if:
- i. The additional or outside employment leads to a conflict or potential conflict of interest for said employee;
  - ii. The nature of the additional or outside employment is such that it will reflect unfavorably on the District; or,
  - iii. The duties to be performed in the additional or outside employment are in conflict with the duties involved in District service.
- B. **District Resources.** An employee who does have additional or outside employment shall not be permitted to use District assets including records, materials, equipment, facilities, vehicles or other District resources in connection with said employment.

**16. LETTERS OF RECOMMENDATION**

A. Requests. The General Manager shall process all requests for references and letters of recommendation.

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benefits are the same as those received by the other guests.

11. Bereavement Offerings. Bereavement offerings received in memory of a close family member.
12. Acts of Neighborliness. Benefits received as an act of neighborliness.
13. Campaign or Nonprofit Fundraiser. Two tickets for admission to attend a fundraiser for a campaign committee, candidate, or nonprofit organization.
14. Unused Passes or Tickets. Passes or tickets that are unused and not given to another person.
15. Emergency Leave Credits. Leave credits (e.g., sick leave or vacation credits) received under the District's Employee Leave Donation Program (Policy 3225).
16. Disaster Relief. Benefits received from a disaster relief program available to the general public.
17. Agency Raffle. Items awarded in a raffle received by the District from an employee who is not acting as an intermediary for another donor. Alternatively, when the District holds an employee raffle and the item awarded in the raffle has been obtained with District funds.
18. Employee Gift Exchange. Items received by an employee during an employee gift exchange.

3030.5 District employees are required to follow all regulations of the California Fair Political Practices Commission (FPPC). Information and advice regarding the regulations can be found at [fppc.ca.gov](http://fppc.ca.gov). Failure to comply with the laws related to gifts, honoraria, loans, and travel payments may, depending on the violation, result in criminal prosecution and substantial fines, or in administrative or civil monetary penalties for as much as \$5,000 per violation or three times the amount illegally obtained. (See Gov. Code §§ 83116, 89520, 89521, 91000, 91004 and 91005.5.)

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**POLICY TITLE: OUTSIDE EMPLOYMENT**  
**POLICY NUMBER: 3035**

3035.1 No District employee shall be permitted to accept employment in addition to or outside of District service if:

1. The additional or outside employment leads to a conflict or potential conflict of interest for said employee;
2. The nature of the additional or outside employment is such that it will reflect unfavorably on the District; ~~or,~~
3. The duties to be performed in the additional or outside employment ~~are in~~ conflict with the duties involved in District service; ~~or~~
4. The additional or outside employment adversely affects the employee's performance of his or her job for the District, including by causing absenteeism, tardiness, or less attention paid to District-related responsibilities.

3035.2 **District Resources.** An employee who does have additional or outside employment shall not be permitted to use District assets including records, materials, equipment, facilities, vehicles, technology, electronic resources such as e-mail or District servers, or other District resources in connection with said employment.

3035.3 **Disclosure.** Employees are required encouraged to disclose outside employment to his or her immediate supervisor to prevent a potential conflict of interest. The supervisor shall notify Human Resources. The determination of a conflict of interest may be appealed to the General Manager or their designee. A conflict of interest will be determined based on the following non-exclusive criteria:

1. The other employer is a current vendor, contractor, or consultant of the District.
2. The other employer is a partner agency.
3. The other employment does not meet the requirements of section 3035.1 above.

C. **Life Insurance.** Life Insurance shall be provided at the regular employee's current regular rate of pay, at the time of death, equal to one year's salary.

**13. PAY PERIODS**

A. The pay period shall commence on Sunday at 12:01 A.M., and continue until 12:00 Midnight the second Saturday following. Payday shall occur on the Thursday following the end of the pay period.

**14. GIFT ACCEPTANCE GUIDELINES**

A. Policy. An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits of or greater than a \$25 value.

**15. OUTSIDE EMPLOYMENT**

A. No District employee shall be permitted to accept employment in addition to or outside of District service if:

- i. The additional or outside employment leads to a conflict or potential conflict of interest for said employee;
- ii. The nature of the additional or outside employment is such that it will reflect unfavorably on the District; or,
- iii. The duties to be performed in the additional or outside employment are in conflict with the duties involved in District service.

B. **District Resources.** An employee who does have additional or outside employment shall not be permitted to use District assets including records, materials, equipment, facilities, vehicles or other District resources in connection with said employment.

**16. LETTERS OF RECOMMENDATION**

A. Requests. The General Manager shall process all requests for references and letters of recommendation.

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**POLICY TITLE: SUBSTANCE ABUSE (IN CONFORMANCE WITH DEPARTMENT OF TRANSPORTATION GUIDELINES)**

**POLICY NUMBER: 3205**

3205.1 **Purpose.** The purpose of this policy is to ensure worker fitness for duty and to protect District employees and the public from risks posed by the use of alcohol and other prohibited substances. This policy is also intended to comply with all applicable Federal regulations governing workplace ~~anti~~~~drug~~~~anti~~~~drug~~ programs in the transportation industry. The Federal Highway Administration (FHWA) of the Department of Transportation (DOT) has enacted 49 CFR Part 382 that mandates urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," which is applicable to certain employees, requiring the establishment of ~~drug-free~~~~drug-free~~ workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. This policy incorporates those requirements of safety-sensitive employees and others when so noted.

3205.2 The District recognizes that the use of alcohol and/or other prohibited substances in the workplace is not conducive to safe working conditions. In order to promote a safe, healthy, and productive work environment for all employees, it is the objective of the District to have a ~~work-force~~~~workforce~~ that is free from the influence of drugs and alcohol.

3205.3 Any terms or procedures not defined within the District's policy shall be defined by the Department of Transportation regulations, which are incorporated by reference herein, and as follows: 49 CFR Part 382, 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," and 49 CFR Part 40.

3205.4 **Applicability.** This policy applies to all employees when ~~they are present~~ on District property, including in a District vehicle, or when performing any ~~District-related~~~~District-related~~ business. This policy applies to all tasks that involve the operation of heavy equipment, use of hand tools, and any function in which the employee's performance, reflexes, and/or judgment impact the safety of the employee or others. Certain provisions, where identified, will apply only to safety-sensitive employees. It also applies to off-site lunch periods and breaks when an employee is scheduled to return to work. Any employee ~~which~~~~who~~ may be required to complete the "return-to-duty" process with a Substance Abuse Professional (SAP) shall not be compensated for time off and shall pay all costs associated with the "return-to-duty" process. A ~~safety-sensitive~~~~safety-sensitive~~ employee is generally any employee who, in the normal course of business, is required to operate District vehicles or heavy equipment, or performs any function in which the employee's performance, reflexes, and/or judgment impact the safety of him- or herself or others. Additionally, a safety-sensitive employee is:

1. One in any classification requiring the use of a Class "A" or Class "B" commercial driver's license, as listed in Appendix A;
2. One who desires in the future to voluntarily drive a District vehicle requiring a commercial license, or may be required to operate a District vehicle requiring a commercial license on an emergency basis; or,
3. One who performs safety-sensitive functions as specified in Appendix A. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

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supervisor's answer. Upon receipt of a written grievance, the General Manager shall meet with the employee and his representative. The General Manager shall render a written decision no later than three (3) days after the Step 2 meeting.

iii. **Step 3.** Should the grievance not be resolved in Step 2, it may then be appealed to the Personnel Committee of the Board of Directors within three (3) days. The Personnel Committee shall meet with the grievant and his/her representative, within ten (10) days of submission for review, and render a written decision ten (10) days thereafter, which decision shall be final.

E. **Personnel Committee.** The Personnel Committee shall, as soon as possible, schedule a hearing in closed session to formally receive the written grievance and the answers thereto at each step and to hear evidence regarding the issue or issues. The Committee's decision shall be announced in open session immediately after the closed session in which it was made. Contrary terms of this procedure notwithstanding, closed sessions will only be conducted in compliance with requirements of applicable law, including California's open meeting law, the Brown Act.

F. **Basic Rules.**

- i. If an employee does not present the grievance, or does not appeal the decision rendered regarding the grievance within the time limits specified above, the grievance shall be considered resolved.
- ii. By agreement in writing, the parties may extend any and all time limitations specified above.
- iii. The General Manager may temporarily suspend grievance processing on a District-wide basis in an emergency situation. Employees covered by this policy may appeal this decision to the Board of Directors.
- iv. A copy of all formal grievance decisions shall be placed in the employee's permanent personnel file.

**48. SUBSTANCE ABUSE (In Conformance with Department of Transportation Guidelines)**

A. **Purpose.** The purpose of this policy is to ensure worker fitness for duty and to protect District employees and the public from risks posed by the use of alcohol and other prohibited substances. This policy is also intended to comply with all applicable Federal regulations governing workplace antidrug programs in the transportation industry. The Federal Highway Administration (FHWA) of the Department of Transportation (DOT) has enacted 49 CFR Part 382 that mandates urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test result. The Department of Transportation has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the Department of Transportation has enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," which is applicable to certain employees, requiring the establishment of drug free workplace policies and the reporting of certain drug-related offenses to the Department of Transportation. This

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3205.5 **Prohibited Substances.** "Prohibited Substances" addressed by this policy include, but are not limited to, the following:

- 1. **Drugs.** Marijuana, amphetamines, opiates, phencyclidine (PCP), cocaine, and all other substances that are illegal under state or federal law.
- 2. **Alcohol.** The use of beverages or substances, including any medication, containing alcohol, such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform, or immediately available to perform, any District business is prohibited. "Alcohol" is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.
- 3. **Controlled Substances.** The Drug Enforcement Agency (DEA) has classified certain medications as controlled substances. While certain controlled substances may be legal if taken in accordance with a medical doctor's prescription and instructions for proper use, any misuse or abuse of controlled substances is prohibited under the District's policy. Additionally, if proper use of a controlled substance impacts an employee's ability to perform his or her job, the employee is required to inform a supervisor. The District will comply with all state and federal laws.
- 4. **Legal Medications.** Using or being under the influence of any legally prescribed medication(s), or non-prescription medication(s) while performing district business or while on District property is prohibited to the extent that such use of influence affects job safety or effective and efficient job performance. An employee who feels his/her performance of work-related duties may be impaired by the use of any legal substance which carries a warning label that indicates that mental functioning, motor skills, and/or judgment may be adversely affected shall report it to his/her supervisor, and medical advice shall be sought before performing work-related duties.
- 5. **Medical Marijuana.** The District, as well as the DOT, views marijuana as a Schedule I controlled substance and prohibits employees from having any detectable level in his or her system while working for the District, despite an employee's possession of a "Medical Marijuana" card or prescription from a physician, which causes marijuana to be detected in a urine sample. The operation of a motor vehicle is prohibited while using marijuana.
- 4-6. **CBD Oil.** The labeling of many CBD Oil, or Cannabidiol, products may be misleading because the products could contain higher levels of THC, or Tetrahydrocannabinol, than the product label states. The Food and Drug Administration (FDA) does not currently certify the levels of THC in CBD products, so there is no federal oversight to ensure that the labels are accurate. The DOT's Drug and Alcohol Testing Regulation, Part 40, does not authorize the use of Schedule I drugs, including marijuana, for any reason. Furthermore, CBD use is not a legitimate medical explanation for a laboratory-confirmed marijuana positive result. Therefore, Medical Review Officers will verify a drug test confirmed at the appropriate cutoffs as positive, even if the employee claims he or she only used a CBD product.

3205.6 **Prohibited Conduct.** Engaging in unlawful possession or use of a prohibited substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from duty and referral to a certified Substance Abuse Professional (SAP), and may result in discipline, up to and including termination of employment.

- 1. **Manufacture, Trafficking, Possession, and Use.** Engaging in unlawful manufacture, distribution, or

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policy incorporates those requirements of safety-sensitive employees and others when so noted.

The District recognizes that the use of alcohol and/or other prohibited substances in the workplace is not conducive to safe working conditions. In order to promote a safe, healthy and productive work environment for all employees, it is the objective of the District to have a work force that is free from the influence of drugs and alcohol.

Any terms or procedures not defined within the District's policy shall be defined by the Department of Transportation regulations, which are incorporated by reference herein, and as follows: 49 CFR Part 382, 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," and 49 CFR Part 40

- B. **Applicability.** This policy applies to all employees when they are on District property, including in a District vehicle, or when performing any District related business. Certain provisions, where identified, will apply only to safety-sensitive employees. It also applies to off-site lunch periods and breaks when an employee is scheduled to return to work. Any employee which may be required to complete the "return-to-duty" process with a Substance Abuse Professional (SAP) shall not be compensated for time off and shall pay all costs associated with the "return-to-duty" process. A safety-sensitive employee is generally any employee who, in the normal course of business, is required to operate District vehicles or heavy equipment, or performs any function in which the employee's performance, reflexes, and/or judgment impact the safety of him- or herself or others. Additionally, a safety-sensitive employee is:
  - i. One in any classification requiring the use of a Class "A" or Class "B" commercial driver's license, as listed in Appendix A;
  - ii. One who desires in the future to voluntarily drive a District vehicle requiring a commercial license, or may be required to operate a District vehicle requiring a commercial license on an emergency basis; or,
  - iii. One who performs safety-sensitive functions as specified in Appendix A. A safety-sensitive employee is considered to be performing a safety-sensitive function during any period in which that employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.
- C. **Prohibited Substances.** "Prohibited substances" addressed by this policy include, but are not limited to the following:
  - i. **Drugs.** Marijuana, amphetamines, opiates, phencyclidine (PCP) cocaine and all other substances illegal under state or federal law.
  - ii. **Alcohol.** The use of beverages or substances, including any medication, containing alcohol, such that it is present in the body at a level in excess of that stated in DOT guidelines while actually performing, ready to perform, or immediately available to perform, any District business is prohibited. "Alcohol" is defined as: the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol, including methyl or isopropyl alcohol.



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dispensing of a prohibited substance or alcohol on District premises, in a District vehicle, or while conducting District business off the premises is strictly prohibited. Violation may result in termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

2. **Impaired/Not Fit for Duty.** Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty shall be removed from job duties and be required to undergo a reasonable suspicion prohibited substance or alcohol test. Employees failing to pass this reasonable suspicion prohibited substance or alcohol test shall remain off duty and be referred to an SAP. A prohibited substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the DOT guidelines (49 CFR Part 40).
3. **Alcohol Use.** No ~~safety-sensitive~~ employee may report for duty or remain on duty when his/her ability to perform assigned functions ~~is~~ **are** adversely affected by alcohol, ~~or when his/her breath alcohol concentration is 0.04 or greater.~~ No employee shall use alcohol during working hours. ~~No safety-sensitive employee shall use alcohol within four (4) hours of reporting for duty.~~ Violations of this provision are prohibited and will subject the employee to disciplinary action, ~~up to and including termination, and, may include~~ **ing** removal from safety-sensitive duty and referral to an SAP.
4. **Compliance with Testing Requirements.** All safety-sensitive employees are subject to randomized prohibited substance testing and breath alcohol testing. Any safety-sensitive employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately and be referred to an SAP. Refusal to submit to a test can include an inability to provide a urine specimen or ~~breath~~ sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.
5. **Treatment/Rehabilitation Program.** An employee who tests positive for a prohibited substance and/or alcohol will be afforded an opportunity for treatment in accordance with the following provisions:
  - a. **Positive Substance and/or Alcohol Test.** The option to attend a Rehabilitation Program is available for employees who have tested positive for a prohibited substance on a one-time basis only. Employees will be terminated immediately on the occurrence of a second event with a verified positive test result. Program costs and subsequent prohibited substance and/or alcohol testing costs will be paid by the employee. When recommended by the SAP, participation, and completion of the rehabilitation program, is mandatory. Failure of an employee to attend and complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to and sign a Return-To-Duty Agreement. The duration and frequency of follow-up testing will be determined by the SAP but will not be shorter than ~~one (1)~~ year or longer than ~~five (5)~~ years.
  - b. **Voluntary Admittance.** All employees who feel ~~he or she~~ **they** requires treatment for use of prohibited substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to ~~the General Manager~~ **Human Resources** or ~~his/her designee~~ for review. Program costs and subsequent prohibited substance and/or alcohol testing costs will be paid by the employee. An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test and be subject to unannounced follow-up testing for ~~thirty-six (36)~~ months following return to duty. A positive result on the return-to-duty test or on the unannounced follow-up tests

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- iii. **Controlled Substances.** The Drug Enforcement Agency (DEA) has classified certain medications as controlled substances. While certain controlled substances may be legal if taken in accordance with a medical doctor's prescription and instructions for proper use, any misuse or abuse of controlled substances is prohibited under the District's policy. Additionally, if proper use of a controlled substance impacts an employee's ability to perform his or her job, the employee is required to inform a supervisor. The District will comply with all state and federal laws.
  - iv. **Legal Medications.** Using or being under the influence of any legally prescribed medication(s), or non-prescription medication(s) while performing district business or while on District property is prohibited to the extent that such use or influence affects job safety or effective and efficient job performance. An employee who feels his/her performance of work-related duties may be impaired by use of any legal substance which carries a warning label that indicates that mental functioning, motor skills and/or judgment may be adversely affected shall report it to his/her supervisor, and medical advice shall be sought before performing work-related duties.
- D. **Prohibited Conduct.** Engaging in unlawful possession or use of a prohibited substance or alcohol on District premises, in a District vehicle or while conducting District business off the premises is absolutely prohibited. Violation will result in removal from duty and referral to a certified Substance Abuse Professional (SAP), and may result in discipline up to and including termination of employment.
- i. **Manufacture, Trafficking, Possession and Use.** Engaging in unlawful manufacture, distribution or dispensing of a prohibited substance or alcohol on District premises, in a District vehicle or while conducting District business off the premises is absolutely prohibited. Violation may result in termination. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.
  - ii. **Impaired/Not Fit for Duty.** Any employee who is reasonably suspected of being impaired, under the influence of a prohibited substance, or not fit for duty shall be removed from job duties and be required to undergo a reasonable suspicion prohibited substance or alcohol test. Employees failing to pass this reasonable suspicion prohibited substance or alcohol test shall remain off duty and be referred to an SAP. A prohibited substance or alcohol test is considered positive (failed) if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in the DOT guidelines (49 CFR Part 40)
  - iii. **Alcohol Use.** No safety-sensitive employee may report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or when his/her breath alcohol concentration is 0.04 or greater. No employee shall use alcohol during working hours. No safety-sensitive employee shall use alcohol within four (4) hours of reporting for duty. Violations of this provision are prohibited and will subject the employee to disciplinary action, including removal from safety-sensitive duty and referral to an SAP.
  - iv. **Compliance with Testing Requirements.** All safety-sensitive employees are

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may result in discipline up to and including termination of employment. The District will comply with its obligations under state and federal law.

6. **Leave Time.** Participants in the rehabilitation program may use accumulated sick leave, vacation, and floating holidays, if any. If no time is available, any leave granted will be unpaid participants will not be paid by the District, and participants will not accumulate vacation or sick time while on leave, and will not be paid for District Holidays, under any circumstance.

3205.7 **Notifying the District of Criminal Drug Conviction.** Pursuant to the "Drug-Free Workplace Act of 1988," any employee subject to the Act who fails to immediately notify the District of any criminal drug or alcohol statute conviction shall be subject to disciplinary action, up to and including termination of employment.

3205.8 Safety-sensitive employees who are convicted of driving under the influence of or while impaired by drugs or alcohol, or otherwise have his or her driving license suspended and are unable to perform his or her regular essential duties, will be removed from duty and placed on unpaid leave until the employee is able to perform his or her regular essential duties. Employees who are unable to return to his or her regular essential duties under this section due to permanent loss of license, or refusal to complete requirements to return to work, shall be subject to disciplinary action, up to and including termination of employment.

3205.9 **Proper Application of the Policy.** The District is dedicated to ensuring the fair and equitable application of this Substance Abuse Policy. Therefore, supervisors and management personnel are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor, manager, or human resources employee who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to his/her subordinates, shall be subject to disciplinary action, up to and including termination of employment.

3205.10 **Testing for Prohibited Substances.** Analytical urine prohibited substance testing and breath testing for alcohol will be conducted as required under DOT guidelines. All employees shall be subject to testing prior to a final offer of employment and for reasonable suspicion, and in some instances, following an serious accident or near-miss to which the employee might have contributed. All safety-sensitive employees shall be subject to testing randomly following an accident, as defined in the DOT guidelines. An accident is defined as an event leading to a fatality, a citation issued by a law enforcement official to the driver, bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or one or more vehicles incurs disabling damage as a result of the accident that renders the vehicle unable to be legally driven or requires the vehicle to be transported away from the scene by a tow truck or another vehicle. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a prohibited substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to five (5) years, as determined by an SAP. Safety-sensitive employees who perform safety-sensitive functions as defined in Appendix A and in the DOT guidelines (49 CFR Part 40) shall also be subject to testing on a randomly selected and unannounced basis.

3205.11 Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which that have been approved by the Department of Health and Human Services (DHHS), including split-sample testing. All testing will be conducted consistent with the procedures put forth in the DOT guidelines.

3205.12 An initial prohibited substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the prohibited substance levels present are above the minimum thresholds

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subject to randomized prohibited substance testing and breath alcohol testing. Any safety-sensitive employee who refuses to comply with a request for testing, who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately and be referred to an SAP. Refusal to submit to a test can include an inability to provide a urine specimen or breathe sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

- v. **Treatment/Rehabilitation Program.** An employee who tests positive for a prohibited substance and/or alcohol will be afforded an opportunity for treatment in accordance with the following provisions:
    - a. **Positive Substance and/or Alcohol Test.** The option to attend a Rehabilitation Program is available for employees who have tested positive for a prohibited substance on a one-time basis only. Employees will be terminated immediately on the occurrence of a second event with a verified positive test result. Program costs and subsequent prohibited substance and/or alcohol testing costs will be paid by the employee. When recommended by the SAP, participation and completion of the rehabilitation program is mandatory. Failure of an employee to attend and complete a prescribed program will result in termination from employment. Prior to return-to-duty testing, an employee must follow the rehabilitation program recommended by the SAP and agree to and sign a Return-To-Duty Agreement. The duration and frequency of follow-up testing will be determined by the SAP but will not be shorter than one (1) year or longer than five (5) years.
    - b. **Voluntary Admittance.** All employees who feel they require treatment for use of prohibited substances and/or alcohol may request voluntary admission to a rehabilitation program. Requests must be submitted to the General Manager or his/her designee for review. Program costs and subsequent prohibited substance and/or alcohol testing costs will be paid by the employee. An employee completing a rehabilitation program must agree to and sign a Return-To-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test and be subject to unannounced follow-up testing for thirty-six (36) months following return to duty. A positive result on the return-to-duty test or on the unannounced follow-up tests may result in discipline up to and including termination from employment. The District will comply with its obligations under state and federal law.
  - vi. **Leave Time.** Participants in the rehabilitation program may use accumulated sick leave, vacation and floating holidays, if any. If no time is available, participants will not be paid by the District and will not accumulate vacation or sick time while on leave under any circumstance.
- E. **Notifying the District of Criminal Drug Conviction.** Pursuant to the "Drug Free Workplace Act of 1988," any employee subject to the Act who fails to immediately notify the District of any criminal drug or alcohol statute conviction shall be subject

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established in the DOT guidelines.

3205.13 Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02, but less than 0.04, will be removed from his/her position ~~for at least twenty-four (24) hours under the provisions of Section 3205.14 below,~~ unless a retest ~~results~~ within 15-20 minutes ~~results~~ in an alcohol concentration of ~~0.02 or less~~ less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

3205.14 Any employee who has a confirmed positive prohibited substance or alcohol test as defined in Section 3205.13 will be removed from his/her position, placed on unpaid leave, informed of educational and rehabilitation programs available, and must obtain and submit an evaluation by an SAP. Employees with a confirmed positive prohibited substance or alcohol test may be subject to disciplinary action, up to and including termination. The District affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. However, the District may be obligated under certain circumstances to divulge information to authorized recipients, and complete confidentiality is not guaranteed.

**3205.15 Circumstances Under Which Employees May be Tested.**

1. **Pre-Employment Testing.** All job applicants who have been offered District employment requiring the regular performance of safety-sensitive tasks, as well as current employees who promote, demote, or transfer to safety-sensitive positions, shall undergo urine prohibited substance testing prior to employment. Receipt of satisfactory test results is required prior to his or her employment and failure of a prohibited substance test will disqualify the candidate from further consideration for employment. Current employees who promote, demote, or transfer to safety-sensitive positions shall be required to test negative prior to ~~his or her~~their assignment. The District will obtain records from previous employers of new employees to conform to DOT guidelines. Probationary employees who receive a positive alcohol and/or substance abuse test, or who fail to provide "clean" records from previous employers, will fail to complete the District's probationary period.
2. **Reasonable Suspicion Testing.** All employees will be subject to urine and/or breath testing when there is a reason to believe that the employee is under the influence of prohibited substances or alcohol while performing his or her job duties or on District property. A reasonable suspicion referral for testing will be made on the basis of documented, objective facts and circumstances which are consistent with the effects of substance abuse.
3. Reasonable suspicion determinations will be made by a supervisor or other designated individual who is trained to detect the signs and symptoms of prohibited substance and alcohol use and reasonably concludes that an employee may be using a prohibited substance while performing his or her job duties or on District property. Examples of reasonable suspicion include, but are not limited to, the following:
  - a. Adequate documentation of unsatisfactory work performance or on-the-job behavior that indicates the use of prohibited substances.
  - b. Physical signs and symptoms, including appearance, behavior, speech, or body odors, consistent with prohibited substance use.
  - c. Occurrence of a serious or potentially serious (near-miss) accident that appears to have been caused by a lapse in judgment or reflexes by the employee, or

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to disciplinary action, up to and including termination of employment.

F. **Proper Application of the Policy.** The District is dedicated to ensuring fair and equitable application of this Substance Abuse Policy. Therefore, supervisors are required to administer all aspects of the policy in an unbiased and impartial manner. Any supervisor who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy with respect to his/her subordinates, shall be subject to disciplinary action, up to and including termination of employment.

G. **Testing for Prohibited Substances.** Analytical urine prohibited substance testing and breath testing for alcohol will be conducted as required under DOT guidelines. All employees shall be subject to testing prior to a final offer of employment and for reasonable suspicion, and in some instances, following a serious accident to which the employee might have contributed. All safety-sensitive employees shall be subject to testing randomly following an accident, as defined in the DOT guidelines. In addition, all safety-sensitive employees will be tested prior to returning to duty after failing a prohibited substance and/or alcohol test. Employees who have returned to duty will be subject to unannounced follow-up tests for up to five (5) years, as determined by an SAP. Safety-sensitive employees who perform safety-sensitive functions as defined in Appendix A and in the DOT guidelines (49 CFR Part 40) shall also be subject to testing on a randomly selected and unannounced basis.

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the Department of Health and Human Services (DHHS), including split-sample testing. All testing will be conducted consistent with the procedures put forth in the DOT guidelines.

An initial prohibited substance screen will be conducted on each specimen. For those specimens that are positive, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the prohibited substance levels present are above the minimum thresholds established in the DOT guidelines.

Tests for alcohol concentration will be conducted utilizing an approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). If the initial test indicated an alcohol concentration of 0.02 or greater, a confirmation test will be performed to confirm the result of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of 0.02, but less than 0.04, will be removed from his/her position for at least twenty-four (24) hours unless a retest results within 15-20 minutes in an alcohol concentration of 0.02 or less. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of DOT guidelines and this policy.

Any employee who has a confirmed positive prohibited substance or alcohol test will be removed from his/her position, informed of educational and rehabilitation programs available, and must obtain and submit an evaluation by a SAP. The District affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process. However, the District may be obligated under certain circumstances to divulge information to authorized recipients, and complete confidentiality is not guaranteed.

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that otherwise appears to have been caused by the use of a prohibited substance by the employee.

- d. Fights (i.e., physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operational procedures.
- 4. **Post-Accident Testing.** All employees, whether or not in a position classified as safety-sensitive, will be required to undergo prohibited substance and/or breath alcohol testing if he or she is involved in an accident while operating or assisting in the operation of a motor vehicle for District business that results in a fatality, injury to any person requiring transport to a medical facility, or damage to a vehicle requiring towage from the site. In addition, if the employee is operating a commercial motor vehicle for District business and receives a citation for a moving traffic violation arising from the incident, the employee will be required to undergo testing, regardless of the nature of the incident. An employee may also be required to undergo prohibited substance and/or breath alcohol testing if he or she is involved in a "near miss" accident which leads to a Reasonable Suspicion determination (see Section 3205.14.3) or if he or she is involved in multiple "near-miss" accidents within a short duration.
- 5. Following an accident in which testing is required, all employees whose performance could have contributed to the accident will be tested for prohibited substances as soon as possible, preferably within 2 hours of the incident; but not to exceed eight (8) hours for alcohol and thirty-two (32) hours for prohibited substances. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to prohibited substance and alcohol testing will be considered to have refused the test and be subject to termination of employment. Post-accident testing covers not only the operation personnel; but any other employees whose performance could have contributed to the accident.
- 6. **Random Testing.** Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, or during duty, or just after the safety sensitive employee has ceased performing his/her duty during working hours and will be paid for the time taken to test. All testing will be paid by the District.
- 7. When safety-sensitive employees are off work due to long-term layoffs, illness, injury, or vacation, the employee's name will be placed back into the pool and another employee's name selected.
- 8. The number of safety-sensitive employees selected for random testing will be the amount required by DOT guidelines. Currently, ~~(February 2018) ten percent (10%)~~ of the employee pool is tested for alcohol and ~~twenty five percent (25%)~~ for substance abuse. The employee pool will either be all District safety-sensitive employees, or, if the District participates in a consortium of employers, all safety-sensitive employees within the consortium.
- 9. **Return-to-Duty Testing.** All employees who previously tested positive for a prohibited substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty. Employees will be required to undergo unannounced follow-up prohibited substance and/or alcohol breath testing following returning to duty. The SAP will

i. **Circumstances Under Which Employees May be Tested.**

- a. **Pre-Employment Testing.** All job applicants who have been offered District employment requiring the regular performance of safety-sensitive tasks, as well as current employees who promote, demote or transfer to safety-sensitive positions, shall undergo urine prohibited substance testing prior to employment. Receipt of satisfactory test results is required prior to their employment and failure of a prohibited substance test will disqualify the candidate from further consideration for employment. Current employees who promote, demote or transfer to safety-sensitive positions shall be required to test negative prior to their assignment. The District will obtain records from previous employers of new employees to conform to DOT guidelines. Probationary employees who receive a positive alcohol and/or substance abuse test, or who fail to provide "clean" records from previous employers, will fail to complete the District's probationary period.
- b. **Reasonable Suspicion Testing.** All employees will be subject to urine and/or breath testing when there is a reason to believe that the employee is under the influence of prohibited substances or alcohol while performing his or her job duties or on District property. A reasonable suspicion referral for testing will be made on the basis of documented, objective facts and circumstances which are consistent with the effects of substance abuse.

Reasonable suspicion determinations will be made by a supervisor or other designated individual who is trained to detect the signs and symptoms of prohibited substance and alcohol use and reasonably concludes that an employee may be using a prohibited substance while performing his or her job duties or on District property. Examples of reasonable suspicion include, but are not limited to, the following:

- (1) Adequate documentation of unsatisfactory work performance or on-the-job behavior that indicates the use of prohibited substances.
- (2) Physical signs and symptoms, including appearance, behavior, speech or body odors, consistent with prohibited substance use.
- (3) Occurrence of a serious or potentially serious accident that appears to have been caused by a lapse in judgment or reflexes by the employee, or that otherwise appears to have been caused by the use of a prohibited substance by the employee.
- (4) Fights (i.e., physical contact), assaults and flagrant disregard or violations of established safety, security, or other operational procedures.

- c. **Post-Accident Testing.** All employees, whether or not in a position classified as safety-sensitive, will be required to undergo prohibited

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determine the duration and frequency. However, it shall not be less than six tests during the first ~~twelve (12)~~ months, nor longer than ~~sixty (60)~~ months in total, following return to duty.

10. **Employee Requested Testing.** Any employee who questions the result of a required prohibited substance or alcohol test may request that an additional test be conducted. This additional test may be conducted at the same laboratory or at a different ~~DHHS-certified~~DHHS-certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT guidelines. The employee's request for a retest must be made to ~~his or her~~the supervisor or to Human Resources within ~~seventy-two (72)~~ hours of notice of the initial test result. Requests after ~~seventy-two (72)~~ hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

11. **Records Retention.** The District shall maintain complete records of alcohol and/or prohibited substance test results for each employee in a secure location with controlled access. Employee records are confidential and will be available only to the DOT or any government or law enforcement agency authorized by law to access the records. Records will be kept for a minimum of ~~five (5)~~ years regarding the following: driver alcohol tests; positive prohibited substance tests; documentation on refusals to take alcohol or prohibited substance tests; and, employee evaluations and referrals. Records will be kept for a minimum of ~~two (2)~~ years regarding the alcohol and prohibited substance collection process. ~~Records will be kept for a minimum of one (1) year regarding the following: collection process; collection logbooks; documents of random selection process; calibration documents for breath testing device; and, documentation of breath alcohol technician training. Documentation of the random selection process will be kept for a minimum of 1 year.~~

3205.16 **Employee Assessment.** Any employee who tests positive for the presence of prohibited substances or whose breath alcohol concentration is above the minimum thresholds set forth in the DOT guidelines will be assessed by an SAP. An SAP is a District selected licensed physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinically experienced in the diagnosis and treatment of drug and ~~alcohol-related~~alcohol-related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance or alcohol abuse or misuse. If an employee is returned to duty following rehabilitation, he/she must agree to and sign a Return-to-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test and be subject to unannounced follow-up tests for a period of ~~one (1)~~ to ~~five (5)~~ years, as determined by the SAP. The cost of any rehabilitation and subsequent prohibited substance and/or alcohol testing is borne by the employee and is on a one-time basis only. Subject to applicable state and federal laws, an employee may be terminated from employment on the occurrence of a second verified positive test result. Employees may use accumulated sick leave, vacation, administrative leave, ~~personal necessity leave~~, and/or floating holidays, if any, to participate in the prescribed rehabilitation program.

3205.17 **Test Related Time-Off Work Provisions.** Any employee who is relieved from duty due to a positive alcohol or prohibited substance test must use accumulated compensated leave (i.e., vacation, sick leave, ~~and~~ administrative leave ~~and/or personal necessity leave~~) during the regularly scheduled work time missed. If the employee has insufficient accumulated compensated leave to cover the regularly scheduled work time missed due to a positive alcohol or prohibited substance test, such time shall be without pay. ~~Leave taken to participate in the prescribed rehabilitation program is not eligible for the Employee Leave Donation~~

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substance and/or breath alcohol testing if they are involved in an accident while operating or assisting in the operation of a motor vehicle for District business that results in a fatality, injury to any person requiring transport to a medical facility, or damage to a vehicle requiring towage from the site. In addition, if the employee is operating a commercial motor vehicle for District business and receives a citation for a moving traffic violation arising from the incident, the employee will be required to undergo testing, regardless of the nature of the incident.

Following an accident in which testing is required, all employees whose performance could have contributed to the accident will be tested as soon as possible, but not to exceed eight (8) hours for alcohol and thirty-two (32) hours for prohibited substances. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to prohibited substance and alcohol testing will be considered to have refused the test and be subject to termination of employment. Post-accident testing covers not only the operation personnel, but any other employees whose performance could have contributed to the accident.

d. **Random Testing.** Employees working in safety-sensitive classifications will be subjected to randomly selected, unannounced testing. The random selection will be by a scientifically valid method. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. Safety-sensitive employees will be tested either just before departure, or during duty, or just after the safety-sensitive employee has ceased performing his/her duty.

When safety-sensitive employees are off work due to long-term layoffs, illness, injury, or vacation, the employee's name will be placed back into the pool and another employee name selected.

The number of safety-sensitive employees selected for random testing will be the amount required in the DOT guidelines. Currently, (February 2018) ten percent (10%) of the employee pool is tested for alcohol and twenty five percent (25%) for substance abuse. The employee pool will either be all District safety-sensitive employees or, if the District participates in a consortium of employers, all safety-sensitive employees within the consortium.

e. **Return-to-Duty Testing.** All employees who previously tested positive for a prohibited substance or alcohol test must test negative and be evaluated and released to duty by the SAP before returning to duty. Employees will be required to undergo unannounced follow-up prohibited substance and/or alcohol breath testing following returning to duty. The SAP will determine the duration and frequency. However, it shall not be less than six tests during the first twelve (12) months, nor longer than sixty (60) months in total, following return to duty.

f. **Employee Requested Testing.** Any employee who questions the result of a required prohibited substance or alcohol test may request that an

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Program (Policy 3225). In the event there is a false positive test the District, upon verification, will compensate the employee for any regularly scheduled work time missed as a result thereof.

3205.18 **Contact Person.** Any questions regarding this policy should be directed to Human Resources or to the General Manager.

3205.19 **FMCSA Clearinghouse.** The District is prohibited from allowing any driver with a Class "A" or Class "B" Commercial Driver's License that has committed a testing violation and has not completed the return-to-duty process as outlined in this policy to perform safety-sensitive functions. Drivers will be notified by the Federal Motor Carrier Safety Administration (FMCSA) when the District obtains information from the Clearinghouse regarding the violation, or when information concerning the commercial driver is added, revised, or removed (Policy 3206).

1. The following violations or milestones will be reported to the Clearinghouse for any drivers who are subject to the Clearinghouse rules. The District, its service providers, its Medical Review Officer(s), and/or its Substance Abuse Professional(s) (SAPs) are required by FMCSA directed to report:
  - a. Any verified positive, adulterated, or substituted DOT drug test
  - b. Any validated DOT alcohol test of 0.04 or higher
  - c. Any refusal to submit to a DOT required drug or alcohol test
  - d. Any confirmed and recorded "actual knowledge" that the driver violated the DOT drug or alcohol rules, including:
    1. Any on-duty alcohol use, including any citation for during under the influence of alcohol (DUI/DWI) while driving a commercial motor vehicle
    2. Any alcohol use within 4 hours before going on duty
    3. Any alcohol use within 8 hours of an accident or before a post-accident test is complete (whichever is first)
    4. Any prohibited drug use while on duty
  - e. Successful completion of the return to duty process following treatment
  - f. Any negative DOT return-to-duty test
  - a-g. Successful completion of follow-up testing
2. Commercial Drivers must grant consent for the District to purchase Clearinghouse reports:
  - a. Prior to employment with the District, all commercial drivers must create a Clearinghouse account and log in to permit the District consent to acquire a "full" query report.
  - b. Commercial drivers must sign a separate Consent "for Limited Queries" form allowing the District access to "limited" queries each year.
  - c. The District will notify the commercial driver that he or she must immediately log in to the Clearinghouse to provide permission so that the District may obtain the driver's full Clearinghouse record if a limited query exposes information about the driver.
  - d. A commercial driver who refuses to grant the consent described above will not be allowed to perform any safety-sensitive duties as defined in §382.107. The commercial driver will not be allowed to resume the safety-sensitive duties until the driver has granted the mandatory consent, the District then obtains the report, and the Clearinghouse query shows that the driver is eligible to carry out safety-sensitive duties. If the commercial driver is not allowed to perform any safety-sensitive duties as a result of refusal to grant consent as described, the employee may be eligible for disciplinary action, up to and including termination of employment.
3. Notice of Violations. Commercial drivers are required to notify the District in writing if he or she has violated the drug and/or alcohol prohibitions of 49 CFR Parts 40 or 382 while employed with the District. The statement must be received before the end of the business day the day after the

additional test be conducted. This additional test may be conducted at the same laboratory or at a different DHHS certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are to be paid by the employee unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in the DOT guidelines. The employee's request for a retest must be made to the supervisor within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

- ii. **Records Retention.** The District shall maintain complete records of alcohol and/or prohibited substance test results for each employee in a secure location with controlled access. Employee records are confidential and will be available only to the DOT or any government or law enforcement agency authorized by law to access the records. Records will be kept for a minimum of five (5) years regarding the following: driver alcohol tests; positive prohibited substance tests; documentation on refusals to take alcohol or prohibited substance tests; and, employee evaluations and referrals. Records will be kept for a minimum of two (2) years regarding the alcohol and prohibited substance collection process. Records will be kept for a minimum of one (1) year regarding the following: collection process; collection logbooks; documents of random selection process; calibration documents for breath testing device; and, documentation of breath alcohol technician training.
- H. **Employee Assessment.** Any employee who tests positive for the presence of prohibited substances or whose breath alcohol concentration is above the minimum thresholds set forth in the DOT guidelines will be assessed by an SAP. An SAP is a District selected licensed physician, psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinically experienced in the diagnosis and treatment of drug and alcohol related disorders. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance or alcohol abuse or misuse. If an employee is returned to duty following rehabilitation, he/she must agree to and sign a Return-to-Duty Agreement, pass a return-to-duty prohibited substance and/or alcohol test and be subject to unannounced follow-up tests for a period of one (1) to five (5) years, as determined by the SAP. The cost of any rehabilitation and subsequent prohibited substance and/or alcohol testing is borne by the employee and is on a one-time basis only. Subject to applicable state and federal laws, an employee may be terminated from employment on the occurrence of a second verified positive test result. Employees may use accumulated sick leave, vacation, administrative leave, personal necessity leave, and/or floating holidays, if any, to participate in the prescribed rehabilitation program.
- I. **Test Related Time-Off Work Provisions.** Any employee who is relieved from duty due to a positive alcohol or prohibited substance test must use accumulated compensated leave (i.e., vacation, sick leave, administrative leave and/or personnel necessity leave) during the regularly scheduled work time missed. If the employee has insufficient accumulated compensated leave to cover the regularly scheduled work time missed due to a positive alcohol or prohibited substance test, such time shall be without pay. In the event there is a false positive test the District, upon verification, will compensate the

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commercial driver received notification of the violation or prior to performing any safety-sensitive duties, whichever comes first.

4. Use of Information. The District will only use the information obtained from the Clearinghouse to determine if the commercial driver is prohibited from performing safety-sensitive duties. The District will not divulge, nor permit any other person to divulge, any driver-specific information from the Clearinghouse to any person or entity not directly involved in making such determination.

employee for any regularly scheduled work time missed as a result thereof.

J. **Contact Person.** Any questions regarding this policy should be directed to the General Manager.

**PROCEDURES**

A. **Reasonable Suspicion Testing.**

i. An employee who displays objective signs indicating he or she may be under the influence of alcohol and/or prohibited substances, according to a supervisor trained to detect such signs, or other designated, trained individual (for convenience, referred to hereinafter as “supervisor”).

Any employee may identify someone suspected of alcohol and/or prohibited substance abuse to any supervisor (employees should realize, however, that it is against District policy to make false or malicious statements about other employees and doing so can result in disciplinary action). The supervisor must witness first-hand the employee’s signs and symptoms.

ii. The supervisor is then obligated to ensure that the matter is immediately investigated.

iii. When the supervisor(s) reasonably suspect and believe that the employee may be under the influence of alcohol and/or prohibited substances, the employee is then immediately suspended from duty (with pay) and driven by a designated District employee (or others designated) to the District’s specified collection site. Testing facilities require the employee in question to show proof of identification, such as a driver’s license photo or state-issued photo identification card.

Whenever practical, the General Manager (or his/her designee) should be notified in advance of the employee being taken to the collection site.

iv. At the collection site, the employee will be required to submit a urine sample in the event that prohibited substances are suspected, or a breath sample in the event that alcohol intoxication is suspected by the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.

v. The District will take precautions to prevent the employee being tested from going back to work and driving their own car home if any of the tests are positive. Instead, the employee will be taken home from the collection by a District employee (or others designated).

vi. The employee whose test results are negative (0.02 alcohol concentration or less, and no indication of prohibited substances) will be reinstated immediately. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The employee whose confirmation test result

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PROCEDURES

3205.21 Reasonable Suspicion Testing.

- 1. An employee who displays objective signs indicating he or she may be under the influence of alcohol and/or prohibited substances, according to a supervisor trained to detect such signs, or other designated, trained individual (for convenience, referred to hereinafter as "supervisor"), ~~shall be subject to reasonable suspicion testing.~~

Any employee may identify someone suspected of alcohol and/or prohibited substance abuse to any supervisor. ~~(employees should realize, however, that it is against District policy to make false or malicious statements about other employees and doing so can result in disciplinary action).~~ The supervisor must witness first-hand the employee's signs and symptoms. Note: Employees should consider that it is against District policy to make false or malicious statements about other employees and that doing so can result in disciplinary action.

- 2. The supervisor is then obligated to ensure that the matter is immediately investigated. An incident report is written and signed by the supervisor and submitted to Human Resources.

- 3. When the supervisor(s) reasonably suspect and believe that the employee may be under the influence of alcohol and/or prohibited substances, the employee is then immediately suspended from duty (with pay) and driven by a designated District employee (or others designated) to the District's specified collection site. Testing facilities require the employee in question to show proof of identification, such as a driver's license photo or state-issued photo identification card.

Whenever practical, Human Resources and the General Manager (or his/her designee) should be notified in advance of the employee being taken to the collection site.

- 4. At the collection site, the employee will be required to submit a urine sample in the event that prohibited substances are suspected, or a breath sample in the event that alcohol intoxication is suspected by the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.

- 5. The District will take precautions to prevent the employee being tested from going back to work and driving his or her~~their~~ own car home if any of the tests are positive. Instead, the employee will be taken home from the collection by a District employee (or others designated).

- 6. The employee whose test results are negative (0.02 alcohol concentration or less, and no indication of prohibited substances) will be reinstated immediately. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for ~~twenty-four (24)~~ hours after administration of the test. The employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, the presence of any illegal substance, or the presence of any legal, controlled substance (medication) for which there is no valid medical explanation provided in writing by a medical doctor<sup>1</sup>, will be referred to a District specified SAP

indicates an alcohol concentration of 0.04 or greater, the presence of any illegal substance, or the presence of any legal, controlled substance (medication) for which there is no valid medical explanation provided in writing by a medical doctor,<sup>1</sup> will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

- vii. The employee whose prohibited substance test results are verified negative will be reinstated immediately. The employee whose prohibited substance test is verified positive by the Medical Review Officer<sup>2</sup> will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

B. Random Testing.

- i. The compliance company notifies the General Manager (or his/her designee), who in turn notifies the supervisor to send the safety-sensitive employee to the collection site for alcohol and/or prohibited substance testing.
- ii. The supervisor notifies the safety-sensitive employee to go to the collection site for alcohol and/or prohibited substance testing immediately. Because of a testing facility requirement, the safety-sensitive employee sent to the collection site must have proof of identification, such as a driver's license photo or state-issued photo identification card.
- iii. At the collection site, the safety-sensitive employee will be required to submit a urine sample (in the event that prohibited substances are to be tested for) or a breath sample (in the event that alcohol is being tested for) to the on-duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample.
- iv. The safety-sensitive employee whose test results are negative (0.02 alcohol concentration or less and no indication of prohibited substances) will be released to return to work. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, the presence of any illegal substance, or the

<sup>1</sup> In the event that an employee is found to be using a legally prescribed medication, the justification for which is provided in writing by a medical doctor, the District will evaluate whether the use of the legal controlled substance

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<sup>1</sup> In the event that an employee is found to be using a legally prescribed medication, the justification for which is provided in writing by a medical doctor, the District will evaluate whether the use of the legal controlled substance impairs the employee's ability to safely perform his or her job, and reserves the right to reassign, suspend, or terminate the employee, if appropriate, in accordance with applicable state and federal laws.

<sup>2</sup> A Medical Review Officer is a licensed physician responsible for analyzing laboratory results generated by the District's substance abuse policy testing program.



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who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

7. The employee whose prohibited substance test results are verified negative will be reinstated immediately. The employee whose prohibited substance test is verified positive by the Medical Review Officer<sup>2</sup> will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

#### 3205.22 Random Testing.

1. The compliance company or consortium notifies ~~the General Manager (or his/her designee)~~ Human Resources, who in turn notifies the supervisor to send the safety-sensitive employee to the collection site for alcohol and/or prohibited substance testing.
2. The supervisor notifies the safety-sensitive employee to go to the collection site for alcohol and/or prohibited substance testing immediately. Because of a testing facility requirement, the safety-sensitive employee sent to the collection site must have proof of identification, such as a driver's license photo or state-issued photo identification card.
3. At the collection site, the safety-sensitive employee will be required to submit a urine sample (in the event that prohibited substances are to be tested for) or a breath sample (in the event that alcohol is being tested for) to the on-duty technician. Care will be taken to provide the safety-sensitive employee with maximum privacy without compromising the integrity of the sample.
4. The safety-sensitive employee whose test results are negative (0.02 alcohol concentration or less and no indication of prohibited substances) will be released to return to work. The safety-sensitive employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for ~~twenty-four~~ (24) hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, the presence of any illegal substance, or the presence of any legal, controlled substance (medication) for which there is no valid medical explanation provided in writing by a medical doctor<sup>3</sup>, will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the safety-sensitive employee. In the case of a reported negative

impairs the employee's ability to safely perform his or her job, and reserves the right to reassign, suspend, or terminate the employee, if appropriate, in accordance with applicable state and federal laws.

<sup>2</sup> A Medical Review Officer is a licensed physician responsible for analyzing laboratory results generated by the District's substance abuse policy testing program.

<sup>3</sup> See footnote 1.

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presence of any legal, controlled substance (medication) for which there is no valid medical explanation provided in writing by a medical doctor,<sup>3</sup> will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the safety-sensitive employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the safety-sensitive employee's termination of employment.

- v. The safety-sensitive employee whose prohibited substance test results are verified negative will be released to return to work. The safety-sensitive employee whose prohibited substance test is verified positive by the Medical Review Officer will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the safety-sensitive employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the safety-sensitive employee's termination of employment.

#### C. Post Accident.

- i. The employee performing a safety-sensitive function, including operating a motor vehicle, notifies a supervisor that an accident has occurred.
- ii. The supervisor determines that the circumstances of the accident warrant a post-accident test in accordance with DOT guidelines. Thereafter, the supervisor directs the employee to immediately go to the collection site for alcohol and prohibited substance testing. The testing facility requires the employee in question to have proof of identification, such as a driver's license photo or state-issued photo identification card.
- iii. At the collection site, the employee will be required to submit a urine sample for prohibited substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
- iv. The General Manager (or his/her designee) will be notified that an accident has occurred and that the employee was instructed to go to the collection site.
- v. The employee whose tests results are negative (0.02 alcohol concentration or less and no indication of prohibited substances) will be released to return to work. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, or the presence of any illegal substance or controlled, legal substance for which there is no valid medical explanation provided in writing by a medical doctor,<sup>4</sup>

<sup>3</sup> See footnote 1.

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dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the safety-sensitive employee's termination of employment.

- 5. The safety-sensitive employee whose prohibited substance test results are verified negative will then be released to return to work. The safety-sensitive employee whose prohibited substance test is verified positive by the Medical Review Officer will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the safety-sensitive employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the safety-sensitive employee's termination of employment.

3205.23 Post Accident.

- 1. The employee performing a safety-sensitive function, including operating a motor vehicle, notifies a supervisor that an accident or a near-miss has occurred.
- 2. The supervisor determines that the circumstances of the accident or near-miss warrant a post-accident test in accordance with DOT guidelines. The supervisor may confer with Human Resources and/or the General Manager to determine whether a post-accident test is warranted. Thereafter/Then, the supervisor directs-drives the employee or designates someone to drive the employee immediately go to the collection site for alcohol and prohibited substance testing. The testing facility requires the employee in question to have proof of identification, such as a driver's license photo or state-issued photo identification card.
- 3. An incident report is written and signed by the supervisor and submitted to Human Resources.
- 4. At the collection site, the employee will be required to submit a urine sample for prohibited substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
- 5. The General Manager (or his/her designee), and Human Resources will be notified that an accident has occurred and that the employee was instructed to go to the collection site.
- 6. The employee whose test results are negative (0.02 alcohol concentration or less and no indication of prohibited substances) will be released to return to work. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02 but less than 0.04 will not be permitted to return to duty or perform a safety-sensitive function for twenty-four (24) hours after administration of the test. The safety-sensitive employee whose confirmation test result indicates an alcohol concentration of 0.04 or greater, or the presence of any illegal substance or controlled, legal substance for which there is no valid medical explanation provided in writing by a medical doctor<sup>4</sup>, will be referred to a District specified SAP who will

<sup>4</sup> See footnote 1.

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will be referred to a District specified SAP who will assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

- vi. The employee whose prohibited substance test results are verified negative will be released to return to work. The employee whose prohibited substance test is verified positive by the Medical Review Officer will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

D. Return to Work and Follow Up.

- i. The compliance company notifies the District to send the employee to the collection site for alcohol and prohibited substance testing.
- ii. The supervisor notifies the employee to immediately go to the collection site for alcohol and prohibited substance testing. The testing facility requires the employee in question to have proof of identification, such as a driver's license photo or state-issued photo identification card.
- iii. At the collection site, the employee will be required to submit a urine sample for prohibited substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
- iv. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02, or whose prohibited substance test is verified positive,<sup>5</sup> will be terminated from employment.

E. Chain of Custody for Specimens.

- i. At the time a specimen is collected, the employee will be given a copy of the specimen collection procedures.
- ii. Urine will be in a wide-mouthed clinic specimen container which will remain in full view of the employee until split, transferred to, sealed and initialed in two tamper-resistant urine bottles.
- iii. Immediately after the specimens are collected, the urine bottles will, in the presence of the employee, be labeled and then initialed by the employee. If the sample must be collected at the site other than the prohibited substance and/or alcohol testing laboratory, the specimens will be placed in the transportation container. The container will be sealed in the employee's presence and the employee will be asked to initial or sign the container. The container will be sent

<sup>5</sup> See footnote 1.

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assess the safety-sensitive employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. In the case of a negative dilute result, the District will accept this result as a verified negative. No second collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination.

7. The employee whose prohibited substance test results are verified negative will be released to return to work. The employee whose prohibited substance test is verified positive by the Medical Review Officer will be referred to a District specified SAP who will assess the employee's condition and make a recommendation for treatment which, if accepted by the District, must be followed by the employee. In the case of a reported negative dilute result, the District will accept this result as a verified negative. No section collection will be required unless specifically requested by the Medical Review Officer. Failure to follow the accepted recommendations or refusal to submit to return-to-duty and unannounced follow-up testing will result in the employee's termination of employment.

#### 3205.24 Return to Work and Follow Up.

1. The compliance company or consortium notifies the District to send the employee to the collection site for alcohol and prohibited substance testing.
2. The supervisor notifies the employee to immediately go to the collection site for alcohol and prohibited substance testing. The testing facility requires the employee in question to have proof of identification, such as a driver's license photo or state-issued photo identification card.
3. At the collection site, the employee will be required to submit a urine sample for prohibited substances and a breath sample for alcohol testing to the on-duty technician. Care will be taken to provide the employee with maximum privacy without compromising the integrity of the sample.
4. The employee whose confirmation test results indicate an alcohol concentration greater than 0.02, or whose prohibited substance test is verified positive<sup>5</sup>, will be terminated from employment.

#### 3205.25 Chain of Custody for Specimens.

1. At the time a specimen is collected, the employee will be given a copy of the specimen collection procedures.
2. Urine will be in a wide-mouthed clinic specimen container which will remain in full view of the employee until split, transferred to, sealed and initialed in two tamper-resistant urine bottles.
3. Immediately after the specimens are collected, the urine bottles will, in the presence of the employee, be labeled and then initialed by the employee. If the sample must be collected at the site other than the prohibited substance and/or alcohol testing laboratory, the specimens will be placed in the transportation container. The container will be sealed in the employee's

<sup>5</sup> See footnote 1.

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to the designated testing laboratory on that day or the earliest business day by the fastest available method.

- iv. A chain of custody form will be completed by the on-duty technician during the specimen collection process and attached to and mailed with specimen.

#### F. Specimen Collection of Strange and/or Unrecognizable Substances.

- i. An employee is observed with a strange and/or unrecognizable substance reasonably suspected to be a prohibited substance.
- ii. The supervisor, in the presence of a witness, places the strange and/or unrecognizable substance in a clear plastic bag. The bag is sealed, labeled and signed by both the supervisor and the witness.
- iii. An incident report is written by the supervisor and signed by both the supervisor and the witness.
- iv. The plastic bag containing the specimen and a copy of the incident report is taken to the collection site for transportation to the laboratory for analysis.

#### G. Alcohol Concentration.

- i. The employee and the on-duty Breath Alcohol Technician (BAT) at the testing facility complete the alcohol testing form to ensure that the results are properly recorded.
- ii. After an explanation of how the breathalyzer works, an initial breath sample is taken.
- iii. If the results of the initial test show an alcohol concentration of 0.02 or greater, a second or confirmation test must be conducted. The confirmation test must not be conducted less than fifteen (15) minutes after, nor more than twenty (20) minutes after the screening test.
- iv. The confirmation test will utilize Evidential Breath Testing (EBT) devices that print out the results, date and time, a sequential test number, and the name and serial number of the EBT device to ensure that reliability of the results.

#### H. Deviations from Procedures.

Unless otherwise provided in DOT guidelines, deviations from the foregoing procedures shall not invalidate the results of any prohibited substance tests verified positive by the Medical Review Officer.

References: DOT 49 CFR Part 382  
<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&ty=HTML&h=L&mc=true&=PART&n=pt49.5.382>

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presence and the employee will be asked to initial or sign the container. The container will be sent to the designated testing laboratory on that day or the earliest business day by the fastest available method.

4. A chain of custody form will be completed by the on-duty technician during the specimen collection process and attached to and mailed with specimen.

#### 3205.26 Specimen Collection of Strange and/or Unrecognizable Substances.

1. An employee is observed with a strange and/or unrecognizable substance reasonably suspected to be a prohibited substance.
2. The supervisor, in the presence of a witness, places the strange and/or unrecognizable substance in a clear plastic bag. The bag is sealed, labeled, and signed by both the supervisor and the witness.
3. An incident report is written by the supervisor and signed by both the supervisor and the witness.
4. The plastic bag containing the specimen and a copy of the incident report is taken to the collection site for transportation to the laboratory for analysis.

#### 3205.27 Alcohol Concentration.

1. The employee and the on-duty Breath Alcohol Technician (BAT) at the testing facility complete the alcohol testing form to ensure that the results are properly recorded.
2. After an explanation of how the breathalyzer works, an initial breath sample is taken.
3. If the results of the initial test show an alcohol concentration of 0.02 or greater, a second or confirmation test must be conducted. The confirmation test must not be conducted less than ~~fifteen (15)~~ minutes after, nor more than ~~twenty (20)~~ minutes after the screening test.
4. The confirmation test will utilize Evidential Breath Testing (EBT) devices that print out the results, date and time, a sequential test number, and the name and serial number of the EBT device to ensure the reliability of results.

3205.28 **Deviations from Procedures.** Unless otherwise provided in DOT guidelines, deviations from the foregoing procedures shall not invalidate the results of any prohibited substance tests verified positive by the Medical Review Officer.

References: DOT 49 CFR Part 382  
<https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&ty=HTML&h=L&mc=true&=PART&n=pt49.5.382>

DOT 49 CFR Part 40  
<https://www.ecfr.gov/cgi-bin/text-idx?SID=44edbc0e557a4cc5ff03365810ee5b1c&mc=true&node=pt49.1.40&rgn=div5>  
OR

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DOT 49 CFR Part 40  
<https://www.ecfr.gov/cgi-bin/text-idx?SID=44edbc0e557a4cc5ff03365810ee5b1c&mc=true&node=pt49.1.40&rgn=div5>  
OR  
<https://www.gpo.gov/fdsys/pkg/FR-2017-11-13/pdf/2017-24397.pdf>

DOT 49 CFR Part 29  
<https://www.gpo.gov/fdsys/granule/CFR-1999-title49-vol1/CFR-1999-title49-vol1-part29>

Drug-Free Workplace Act of 1988  
<https://www.gpo.gov/fdsys/pkg/USCODE-2009-title41/pdf/USCODE-2009-title41-chap10.pdf>

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<https://www.gpo.gov/fdsys/pkg/FR-2017-11-13/pdf/2017-24397.pdf>

DOT 49 CFR Part 29

<https://www.gpo.gov/fdsys/granule/CFR-1999-title49-vol1/CFR-1999-title49-vol1-part29>

Drug-Free Workplace Act of 1988

<https://www.gpo.gov/fdsys/pkg/USCODE-2009-title41/pdf/USCODE-2009-title41-chap10.pdf>

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APPENDIX A

SAFETY SENSITIVE CLASSIFICATIONS AND FUNCTIONS

~~Water Division~~ Safety-Sensitive Classifications

- ~~Water Utility Worker-Worker I~~
- ~~Water Utility Worker II—I—III~~
- ~~Senior Water Utility Worker~~
- ~~Water Utility Supervisor~~
- ~~Water Production Operator I~~~~Production Operator~~
- ~~Water Production Operator II~~
- ~~Water Production Supervisor~~~~Supervisor~~
- ~~Field Superintendent~~~~Water Utility Superintendent~~
- ~~Heavy Equipment Operator~~
- ~~Grade Checker~~
- ~~Maintenance Technician~~
- ~~Recycled Water Supervisor~~
- ~~Transmission and Distribution Supervisor~~

Safety-Sensitive Functions

- Operating any vehicle where a Class A or Class B driver's license would be required.
- All tasks that involve the operation of heavy equipment, use of hand tools, and any function in which the employee's performance, reflexes, and/or judgment impact the safety of the employee or others.

APPENDIX A

SAFETY SENSITIVE CLASSIFICATIONS AND FUNCTIONS

Water Division Safety-Sensitive Classifications

- Utility Worker I II III
- Production Operator / Supervisor
- Field Superintendent
- Heavy Equipment Operator
- Grade Checker
- Recycled Water Supervisor
- Transmission and Distribution Supervisor

Safety-Sensitive Function

Operating any vehicle where a Class A or Class B driver's license would be required.

All tasks that involve the operation of heavy equipment, and any function in which the employee's performance, reflexes, and/or judgment impact the safety of the employee or others.

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APPENDIX B

VOLUNTARY PARTICIPATION IN RANDOM TESTING

Although my classification is not considered safety-sensitive, I may volunteer at various times to perform a safety-sensitive function. In adherence to the District's policy on random alcohol and controlled substance testing of employees performing safety-sensitive functions, I hereby agree to be included in the pool of employees selected for such testing. I further agree that my voluntary submission to alcohol and controlled substance testing requires that I will follow all related procedures as described in the Employee HandbookPolicy Manual, and that a positive test result will be handled in the same way it would for an employee regularly in a safety-sensitive classification. This agreement is valid for one year from the date signed.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name Printed

APPENDIX B

VOLUNTARY PARTICIPATION IN RANDOM TESTING

Although my classification is not considered safety-sensitive, I may volunteer at various times to perform a safety-sensitive function. In adherence to the District's policy on random alcohol and controlled substance testing of employees performing safety-sensitive functions, I hereby agree to be included in the pool of employees selected for such testing. I further agree that my voluntary submission to alcohol and controlled substance testing requires that I follow all related procedures as described in the Employee Handbook, and that a positive test result will be handled in the same way it would for an employee regularly in a safety-sensitive classification. This agreement is valid for one year from the date signed.

\_\_\_\_\_  
Employee's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name Printed

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**POLICY TITLE: FMCSA CLEARINGHOUSE REGISTRATION**  
**POLICY NUMBER: 3206**

3206.1 **FMCSA Clearinghouse.** The Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse is a secure, online database that provides employers and other authorized users real-time information about commercial driver's license (CDL) and commercial driver's permit (CLP) holder's drug and alcohol program violations.

3206.2 Any driver who holds a CDL, such as a California Class "A" or Class "B" license and meets the requirements of the CDL standards (49 CFR Part 383), and the FMCSA Drug and Alcohol Testing Program (Part 382), and CLP holders are "covered drivers" under the Clearinghouse.

3206.3 Covered drivers who are employed by the District are required to have an online account at clearinghousefmcsa.dot.gov and are highly encouraged to provide a personal email address so that he or she can be contacted. Covered drivers are permitted to see his or her own Clearinghouse records free of charge and may challenge the accuracy of the information reported to the Clearinghouse, but not the accuracy of test results or refusals using the procedures listed in §382.717 (Policy 3205). Covered drivers must register with the FMCSA Clearinghouse within 48 hours upon being notified to register by the District.

3206.4 Candidates for employment with a conditional offer of employment with the District and meet the requirements of a "covered driver" as defined in section 3206.2, are required to have an online account at clearinghousefmcsa.dot.gov and are highly encouraged to provide an email address so that he or she can be contacted. Candidates for employment are permitted to see his or her own Clearinghouse records free of charge and may challenge the accuracy of information reported to the Clearinghouse, but not the accuracy of test results or refusals using the procedures listed in §382.717 (Policy 3205).

3206.5 **Use of Information.** The District will only use the information obtained from the Clearinghouse to determine if the driver is prohibited from performing safety-sensitive duties. The District will not divulge, nor permit any other person or entity to divulge, any driver-specific information from the Clearinghouse to any person or entity not directly involved in making such determination.

3206.6 **Designated Employer Representative.** The Human Resources Coordinator serves as the District's Designated Employer Representative (DER). The DER is responsible for conducting the District's Annual Queries, Pre-Employment Queries, Violation Reporting, and Return-to-Duty Reporting in the FMCSA Clearinghouse. The DER also serves as the custodian for all records required by the Department of Transportation (DOT).

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OPERATIONS

**POLICY TITLE: PRESS RELATIONS AND SOCIAL MEDIA POLICY****POLICY NUMBER: 5100**

5100.1 **Purpose.** The purpose of the press relations and social media policy is to work supportively with press relations (media) and to disseminate information of public interest and concern in an accurate, complete, and timely manner. Public Relations and Social Media are vital in outreach efforts that help engage the community quickly and relevantly. It allows stakeholders to communicate with the District and quickly access important information. The District currently manages social media activities across several platforms, such as Facebook, Twitter, and YouTube. This policy will establish clear guidelines for the appropriate use of current policies, which may be updated from time to time and future press relations and social media activities.

5100.2 **Press Relations and Social Media Use.** The District will use press relations and social media to share timely, relevant information that keeps stakeholders up to date on what is happening in the District and with water in his or her community. The goal of social media activity will be to share information about District subjects, events, reminders, District updates, or other District press relations and informal notices. Social media shall also share critical information that needs to reach stakeholders quickly. The use of social media is to complement but not replace other communication methods regarding District activities and business.

1. The General Manager or his/her designee is designated as the District's Public Information Officer (PIO) and is responsible for implementing this policy. When the PIO is unavailable, he or she shall select an authorized designee.
2. The PIO shall coordinate District responses with the Board President to ensure the District meets the Board of Director's communications goals.
3. Employees and elected officials who engage with consumers or members of the Press shall use courtesy, politeness, and professionalism. Any media inquiries received by district staff will be referred immediately to Department Directors or the General Manager (if any Department Director is unavailable), who shall directly forward the media inquiry and contact information to the PIO and Board President (as necessary) for a response.
4. The General Manager, the Board President, or his/her designee will prioritize inquiries from the news media and respond as efficiently as possible.
5. When contacted by the PIO for information needed to respond to a media inquiry, all staff shall provide the PIO with accurate and complete information available for the response. The General Manager or Designee will identify if additional time is needed to address a media inquiry.
6. At the discretion of the PIO and the Board President, if it is determined that a District response is best achieved by having staff or a consultant speak on behalf of the District on a particular topic, he or she may designate an authorized spokesperson to assist with the District's response.
7. To assure that all members of the Board of Directors have accurate, complete, and timely information to fulfill responsibilities to represent the District affairs, members of the Board of Directors shall inform the PIO by email of the substance of significant media inquiries and for an official response.
8. The General Manager must approve official BCVWD social media accounts before being established. The PIO and the assigned social media administrators will manage or post on social media platforms.

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9. Content shared on District social media platforms shall comply with Section 5100.6 below. "Content" includes, but is not limited to, posts, shares, comments, likes, intentions, and reactions.
10. While an informal tone is appropriate, communication via social media represents the District and shall remain professional. Official District social media shall not be used for political purposes, conduct private commercial transactions, engage in private business activities, or other personal use. Inappropriate use of official District social media may result in disciplinary action, up to and including termination of employment.
11. Assigned staff and management shall monitor and evaluate social media platforms on an ongoing basis.

**5100.3 Personal Use of Social Media.**

1. District employees and the Board of Directors may have personal accounts on any social media platform of his or her choice. These accounts shall remain private and shall not be used to share work-related information.
2. District employees and the Board of Directors shall avoid using personal accounts to comment on posts regarding official District business.
3. District email accounts and passwords shall not be used with personal social media accounts.

**5100.4 General Policies.**

1. All District accounts shall clearly state they are maintained by the District and include the official logo. The assigned social media administrator will fully understand and comply with user agreements for each social media platform. Administrators will also comply with state and federal regulations and District policies.
2. Social media content shall reflect the District's mission, vision, values, and initiatives. The BCVWD assigned consultant or the assigned social media administrator should monitor social media accounts, content, and conversations on a frequent, ongoing basis. Images may not include photos of a person or private property without written consent.
3. Model releases shall be used to obtain the permission of identifiable people. Images, videos, and graphics that do not belong to the District must be vetted to ensure copyright laws do not protect him or her or that the intended use falls within fair-use standards.
4. The District shall cite the source of any image, graphic, or video not owned by the District. Free-use photos can be found using stock photography sites or advanced search engine features.
5. Social Media accounts, including the administrative account access, shall be established, controlled, and managed by BCVWD Information Technology Department with the direction and approval of the General Manager or his/her designee.

**5100.5 Correcting Misinformation.**

Responding to public comments or questions and diffusing potentially harmful conversations is a critical component of social media management. The social media administrator shall conduct frequent reviews of social media accounts, correct any misinformation, and notify the General Manager or designee immediately in the event

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of an adverse situation. If the situation cannot be resolved, the social media administrator will publicly provide District contact information or other resources and follow up with stakeholders privately regarding his or her concerns.

5100.6 **Content Policies.** Social media content shall be posted consistently, regularly, and with timely and relevant information. Posts shall be scheduled in advance while also allowing flexibility to implement changes and share urgent information quickly and efficiently.

1. Posts can include but are not limited to: emergencies; water supply and conservation information; District updates on initiatives, objectives, and projects; community engagement; leaks, service outages, maintenance/repairs; press releases, holiday closures, and more.
2. Social media administrators shall use the best judgment when posting or engaging on platforms and determining what is suitable to share on behalf of the District. Topics to avoid include legal claims or lawsuits, personnel matters, controversial issues, personal opinions, and political issues.
3. When applicable, content shall be explicitly tailored to each platform's audience and user experience. For example, platforms such as Nextdoor provide an opportunity to engage with a population interested in safety, events, and community. In contrast, platforms such as Instagram provide a way to connect with stakeholders in a fun, visually-based manner. Facebook allows an image with more detail than platforms like Twitter, but both enable linking to additional information.
4. Information shall be relevant to the District's intended audience, presented clearly, and easily understood. Content shall always include proper grammar, spelling, and appropriate tone. The social media administrator will always check facts before posting any information.

5100.7 **Prohibited Content.** Responses from the public that include prohibited content will be removed at the discretion of the General Manager or his/her designee. District staff and representatives of BCVWD who violate this policy and any social media accounts that violate this policy may be subject to disciplinary action, up to and including termination of employment. Content containing any of the following material will be removed immediately. Inappropriate content includes, but is not limited to:

1. Violence, profanity, obscenity, nudity, or pornographic content or language,
2. The content is found to discriminate against any creed, race, gender, sexual orientation, age, religion, or national origin, as well as any other category protected by state or federal laws,
3. Threats, slander, or defamation of any kind,
4. Illegal acts of any kind or encouragement thereof,
5. Information that compromises the security or well-being of any District staff member, partner, resident, or stakeholder,
6. Comments, links, posts, advertisements, or articles soliciting business or commerce,
7. Content that violates copyright laws, or

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## Proposed Policy

## No Current Policy

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8. Content that violates local, state, or federal laws.

5100.8 **Emergency Response.** Social media use shall be limited to the District's PIO, Board President, or as authorized, Board members or designated spokespeople in an emergency or crisis scenario. Social media activities shall occur to announce an emergency, provide updates during the emergency, and share when the emergency is resolved. The District's emergency updates are not intended to take responsibility for emergency communications for regional emergencies; rather, the District will communicate information specifically relating to the District and water service.

5100.9 **State Regulations.** All District content, including social media posts, comments, messages, and other interactions, shall be mindful of and comply with the following state regulations:

1. **California Public Records Act.** All social media content found on BCVWD accounts may be subject to the California Public Records Act. Content posted— including prohibited and non-prohibited content, responses to comments, and messages from the public— shall be monitored, tracked, and retained so that it can be easily retrieved if necessary, according to Public Record Act laws.
2. **Ralph M. Brown Act.** The Brown Act protects the public's right to attend and participate in meetings of local legislative bodies, such as meetings held by a Board of Directors. All Brown Act rules shall be followed when engaging online, including on social media. Interactions between Board members on social media platforms, including comments and messages, can be regarded as a meeting. The Board of Directors is encouraged to follow the Brown Act when engaging in posts or discussions.
3. **Fair Political Practices Commission (FPPC).** The Fair Political Practices Commission (FPPC) is designed to ensure the fairness and integrity of California's political process by enforcing the Political Reform Act. Regulations state that all Board members must be represented equally regarding public outreach, media relations, and social media. Use of pictures, quotes, or other social media content involving Board members must comply with FPPC regulations.

5100.10 **Ongoing Evaluation.** The District shall continuously review social media accounts to ensure alignment with the District Board of Directors' policy direction and District-defined mission, vision, directives, and policies and procedures. District issues identified by staff that are not aligned with the said mission, vision, directives, and policies and procedures shall be corrected, deleted, or adjusted.

5100.11 **Personal Opinion.** The Board of Directors members and District Employees have the right to express an opinion regarding matters of public concern. Members of the Board of Directors and District employees who write correspondence to media or post on social media platforms may not use official district stationary or items symbolizing a direct connection to BCVWD. If a member of the Board of Directors or BCVWD employee identifies as a district representative on a Personal Opinion correspondence, email, or social media posts, he or she shall state that his or her outlined views do not represent the views of the District but of the individual's opinion.

Adopted by Resolution 22-XXX, Date

Policy Approval Tracking  
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Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Responsible Staff	Approved by Legal Counsel	Presented to Personnel Committee	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date	Resolution Number
1	1000	General	Definitions	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
			Definitions	Additional Edits	Human Resources	6/28/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
2	1005	General	Contractual Provisions	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
N/A	1010	General	Policy Manual	Yes	Human Resources	2/16/2021	2/22/2021	2/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
			Policy Manual	Additional Edits	Human Resources	Separate Report	N/A	N/A-directed to Board	3/9/2022	3/9/2022	3/9/2022	22-006
3	2000	Administration	Equal Opportunity	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
4	2605	Administration	Affirmative Action	Yes	Human Resources	Recommend to Remove	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
5	2010	Administration	Access to Personnel Records	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
6	2015	Administration	Harassment	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
7	2020	Administration	Sexual Harassment	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
N/A	2025	Administration	Whistleblower Protection	Yes	Human Resources	3/15/2021	3/22/2021	3/22/2021	4/14/2021	4/14/2021	4/14/2021	21-006
8	3000	Personnel	Employee Status	Yes	Human Resources	4/12/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Employee Information and									
N/A	3001	Personnel	Emergency Data	Yes	Human Resources	4/12/2021	6/21/2021	6/21/2021	10/13/2021	10/13/2021	10/13/2021	21-018
N/A	3002	Personnel	Employee Groups	Yes	Human Resources	4/12/2021	5/17/2021	5/17/2021	10/13/2021	10/13/2021	10/13/2021	21-018
9	3005	Personnel	Compensation	Yes	Human Resources	7/13/2021	7/19/2021	7/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Prevailing Wage-Public Works									
N/A	3006	Personnel	Contractor-Employee Relations	Yes	Human Resources	7/13/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Employee Performance									
10 & 49	3010	Personnel	Evaluation	Yes	Human Resources	7/13/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
			Performance Evaluation-General									
11	3015	Personnel	Performance Evaluation-General Manager	Yes	Human Resources	8/3/2021	9/20/2021	9/20/2021	10/13/2021	10/13/2021	10/13/2021	21-018
								Requested edits, bring back after MOU Negotiations				
12	3020	Personnel	Health and Welfare Benefits	Yes	Human Resources	10/12/2021	11/15/2021					
13	3025	Personnel	Pay Periods	Yes	Human Resources	10/12/2021	11/15/2021	11/15/2021	5/11/2022			
14	3030	Personnel	Gift Acceptance Guidelines	Yes	Human Resources	12/10/2021	4/19/2022	4/19/2022	5/11/2022			
15	3035	Personnel	Outside Employment	Yes	Human Resources	10/12/2021	4/19/2022	4/19/2022	5/11/2022			
16	3040	Personnel	Letters of Recommendation	Yes	Human Resources							
17	3045	Personnel	Executive Officer	Yes	Human Resources							
18	3050	Personnel	Volunteer Personnel Workers' Compensation Insurance	Yes	Human Resources							
19	3055	Personnel	Work Hours, Overtime, and Standby Program	Yes	Human Resources							
20	3060	Personnel	Continuity of Service	Yes	Human Resources							
20 (incorrect numbering)	3065	Personnel	Reduction in Force	Yes	Human Resources							
21	3070	Personnel	Holidays	Yes	Human Resources							
22	3075	Personnel	Vacation	Yes	Human Resources							
23	3080	Personnel	Pre-Examination Physical Examination	Yes	Human Resources							
24	3085	Personnel	Sick Leave	Yes	Human Resources							
25	3090	Personnel	Family and Medical Leave	Yes	Human Resources							
26	3095	Personnel	Pregnancy Disability Leave	Yes	Human Resources							
N/A	3096	Personnel	Lactation Accommodation	No	Human Resources							
27	3100	Personnel	Bereavement Leave	Yes	Human Resources							
28	3105	Personnel	Personal Leave of Absence	Yes	Human Resources							
29	3110	Personnel	Jury and Witness Duty	Yes	Human Resources							
			Leave for Crime Victims and Family Members									
N/A	3111	Personnel	Leave for Crime Victims and Family Members	No	Human Resources							
				Yes; needs modifications from ACWA JPIA	Human Resources							
30	3115	Personnel	Return to Work Policy		Human Resources							
31	3120	Personnel	Occupational Injury and Illness Prevention Program	Yes	Human Resources							
N/A	3121	Personnel	Infectious Disease Control	Yes	Human Resources							
N/A	3122	Personnel	Workplace Violence	Yes	Human Resources							
N/A	3123	Personnel	Theft	No	Human Resources							
32	3125	Personnel	Uniforms and Protective Clothing	Yes	Human Resources							
33	3130	Personnel	Conferences	Yes	Human Resources							
34	3135	Personnel	Occupational Certification Assistance	Yes	Human Resources							
N/A	3136	Personnel	Succession and Workforce Planning	Yes	Human Resources							
35	3140	Personnel	Respiratory Protection Program	Yes	Human Resources							
36	3145	Personnel	Driver Training and Record Review	Yes	Human Resources							
37	3150	Personnel	District Vehicle Usage	Yes	Human Resources							
38	3151	Personnel	Personal Vehicle Usage		Human Resources							
39	3160	Personnel	HIPAA Compliance and Security Officer	Yes	Human Resources							

Priority Legend:  
Yellow Highlight = Highest Priority  
Light Blue Highlight = Lowest Priority

Policy Approval Tracking  
BCVWD Policy Manual Project

Policy Number	New Policy Number	Section	Policy Name	Drafted by BCVWD Staff	Responsible Staff	Approved by Legal Counsel	Presented to Personnel Committee	Provisionally Approved by Personnel Committee	Presented to Board of Directors	Approved by Board of Directors	Adoption Date	Resolution Number
40	3165	Personnel	Tobacco Use	Yes	Human Resources							
41	3170	Personnel	Smoke Free Workplace	Yes	Human Resources							
42	3175	Personnel	Disciplinary Action or Terminations	Yes	Human Resources							
43	3180	Personnel	Nepotism-Employment of Relatives	Yes	Human Resources							
44	3185	Personnel	Confidentiality Regarding Resignations	Yes	Human Resources							
45	3190	Personnel	Internet, E-Mail, and Electronic Communication Ethics, Usage and Security	Yes	Information Technology							
N/A	3191	Personnel	Electronic Signature Policy	No	Information Technology							
46	3195	Personnel	Cellular Telephone Usage	Yes	Information Technology							
47	3200	Personnel	Grievance Procedures	Yes	Human Resources							
48	3205	Personnel	Substance Abuse (In Conformance with Department of Transportation Guidelines)	Yes	Human Resources	12/6/2021	4/19/2022	4/19/2022	5/11/2022			
N/A	3206	Personnel	FMCSA Clearinghouse Registration	No	Human Resources	12/6/2021	4/19/2022	4/19/2022	5/11/2022			
50	3215	Personnel	Personnel Action Form (PAF)	Yes	Human Resources							
51	3220	Personnel	Recruitment, Selection and Onboarding	Yes	Human Resources							
N/A	3225	Personnel	Employee Leave Donation Program and Policy	Yes	Human Resources							
N/A	3230	Personnel	Workers' Compensation	Yes	Human Resources							
N/A	3231	Personnel	Accommodations for Disability	No	Human Resources							
N/A	3235	Personnel	Military Leave	Yes	Human Resources							
N/A	3240	Personnel	Dress Code and Personal Standards	Yes	Human Resources							
N/A	3245	Personnel	Non-Solicitation	No	Human Resources							
N/A	3250	Personnel	Telecommuting	No	Human Resources							
N/A	3255	Personnel	Time off for School Activities	No	Human Resources							
N/A	3260	Personnel	Time off to Vote	No	Human Resources							
1	4005	Board of Directors	Basis of Authority	Yes	HR/Administration							
2	4010	Board of Directors	Members of the Board of Directors	Yes	HR/Administration							
3	4015	Board of Directors	Committees of the Board of Directors	Yes	HR/Administration							
4	4020	Board of Directors	Board President	Yes	HR/Administration							
5	4025	Board of Directors	Board Meetings	Yes	HR/Administration	Verbal Review during meeting	N/A	Directed to Full Board	12/8/2021	12/8/2021	12/8/2021	2021-24
6	4030	Board of Directors	Board Meeting Agendas	Yes	HR/Administration							
7	4035	Board of Directors	Board Meeting Conduct	Yes	HR/Administration							
8	4040	Board of Directors	Board Actions and Decisions	Yes	HR/Administration							
9	4045	Board of Directors	Attendance at Meetings	Yes	HR/Administration							
10	4050	Board of Directors	Minutes of Board Meetings	Yes	HR/Administration							
11	4055	Board of Directors	Rules of Order for Board and Committee Meetings	Yes	HR/Administration							
12	4060	Board of Directors	Training, Education and Conferences	Yes	HR/Administration	6/30/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021	2021-12
13 & 16	4065	Board of Directors	Remuneration, Director Per Diem Fees	Yes	HR/Administration	6/30/2021	N/A	Directed to Full Board	7/14/2021	Revisions Requested on 7/14/2021	7/14/2021	2021-12
14	4070	Board of Directors	Payment of Expenses Incurred on District Business	Yes	HR/Administration							
15	4075	Board of Directors	Expenditure Reimbursement	Yes	HR/Administration							
17	4080	Board of Directors	Membership in Associations	Yes	HR/Administration							
18	4085	Board of Directors	Ethics Training	Yes	HR/Administration							
N/A	4086	Board of Directors	Anti-Harassment Training	No	HR/Administration							
19	4090	Board of Directors	Code of Ethics	Yes	HR/Administration							
20	4095	Board of Directors	Ethics Policy	Yes	HR/Administration							
N/A	4100	Board of Directors	Electronic Communications and Data Devices at Dais	Yes	HR/Administration	6/28/2021	N/A	Directed to Full Board	7/14/2021	7/14/2021	7/14/2021	2021-11
1	5005	Operations	Emergency Preparedness	Yes	Human Resources							
2	5010	Operations	Emergency Response Guideline for Hostile or Violent Incidents	Yes	Human Resources							
3	5015	Operations	Computer and Business Continuity Security	Yes	Information Technology							
4	5020	Operations	Environmental Health and Safety Compliance Program	Yes	HR/Operations							
5	5025	Operations	Illness and Injury Prevention Program	Yes	HR/Operations							
6	5030	Operations	Budget Preparation	Yes	Finance							

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Policy Approval Tracking  
BCVWD Policy Manual Project

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7	5035	Operations	Fixed-Asset Accounting Control	Yes	Finance							
8	5040	Operations	Fixed-Asset Capitalization	Yes	Finance							
9	5045	Operations	Investment of District Funds	Yes	Finance							
N/A	5046	Operations	Other Post-Employment Benefits Funding	Yes	Finance							
10	5050	Operations	Customer Payment Arrangements	Yes	Finance/Customer Service							
11	5055	Operations	Employment of Consultants and Professional Services	Yes	Finance/HR							
12	5060	Operations	Employment of Outside Contractors	Yes	Finance/Administration							
13	5065	Operations	Easement Abandonment	Yes	Administration							
14	5066	Operations	Easement Acceptance	No	Administration							
15	5070	Operations	Encroachment Permits	Yes	Administration							
16	5075	Operations	Credit Card Usage	Yes	Finance							
17	5080	Operations	Purchasing	Yes	Finance							
N/A	5081	Operations	Contract Review Policy	No	Finance/Administration							
18	5085	Operations	Disposal of Surplus Property or Equipment	Yes	Finance							
19	5090	Operations	Records Retention	Yes	Administration							
N/A	5095	Operations	District Residences and Facility Emergency Policy	Yes	HR/Administration	7/21/2020	6/21/2021	Requested edits, sent to Board for review	Requested Edits 10/13/2021	10/28/2021	10/28/2021	2021-19
N/A	5100	Operations	Press Relations and Social Media	Yes	Administration	1/11/2022	4/19/2022	4/19/2022	5/11/2022			
1	6005	Miscellaneous	Purpose of Board Policies	Yes	Human Resources							
2	6010	Miscellaneous	Adoption, Amendment of Policies	Yes	Human Resources							
3	6015	Miscellaneous	Public Complaints	Yes	Human Resources							
4	6020	Miscellaneous	Claims Against the District	Yes	Human Resources							
5	6025	Miscellaneous	Copying Public Documents	Yes	HR/Administration							
6	6030	Miscellaneous	District Standards for the Furnishing of Materials	Yes	HR/Administration							
7	6035	Miscellaneous	Environmental Review Guidelines	Yes	Engineering							
8	6040	Miscellaneous	Annexation	No	Engineering							
9	6045	Miscellaneous	Construction Requirements	No	Engineering							
N/A	7000	Information Technology	Acceptable Use	Yes	Information Technology							
N/A	7005	Information Technology	Accessibility	Yes	Information Technology							
N/A	7010	Information Technology	Electronic Communications	Yes	Information Technology							
N/A	7015	Information Technology	Passwords	Yes	Information Technology							
N/A	7020	Information Technology	Remote Access/VPN	Yes	Information Technology							
N/A	7025	Information Technology	Datacenter Physical Security	Yes	Information Technology							
N/A	7030	Information Technology	Wireless Communications	Yes	Information Technology							
N/A	7035	Information Technology	Mobile Device Security	Yes	Information Technology							
N/A	7040	Information Technology	Internet Use	Yes	Information Technology							
N/A	7045	Information Technology	Information Systems Backup & Data Retention	Yes	Information Technology							
N/A	7050	Information Technology	Personally Identifiable Information	Yes	Information Technology							
N/A	7055	Information Technology	Drones Use	No	Information Technology							
N/A	7060	Information Technology	Security and Technology Access for Independent Contractors	No	Information Technology							

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**Beaumont-Cherry Valley Water District  
Engineering Workshop Meeting  
May 11, 2022**

Item 6

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** **Approve Expenditures in an Amount Not to Exceed \$841,225 for Procurement of Materials for Upcoming Water Pipeline Replacement Projects**

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**Staff Recommendation:**

Approve expenditures in an amount not to exceed \$841,225.00 for procurement of materials for the following upcoming water pipeline replacement projects:

- 11th Street Pipeline Replacement Project (P-2750-0056)
- Michigan Avenue Pipeline Replacement Project (P-2750-0092)
- 5th Street Pipeline Replacement Project (Potable – Not Identified in CIP)

**Background:**

During recent discussion at regular meetings of the Board of Directors regarding various pipeline projects, the Board has maintained that due to current supply chain issues and extended lead time for material procurement, District staff should focus efforts and be proactive in ordering materials. At the direction of the Board, District staff has identified projects which are considered a high priority within the next year.

The pipeline projects discussed further hereon are considered high priority due to a combination of frequent leaks, increased required maintenance activities, as well as the need to remain ahead of the City of Beaumont's (City) Annual Citywide Street Rehabilitation and Maintenance FY21/22 Capital Improvement Program (pavement project).

On November 19, 2019, the City of Beaumont adopted Ordinance No. 1113, placing a moratorium on recently paved or resurfaced streets. The City began strict enforcement of Ordinance No. 1113 in approximately September 2020. This moratorium prohibits pavement cuts into newly resurfaced or reconstructed streets and affects the District's ability to move forward with pipeline replacements or to address leaks.

**Discussion**

By proactively purchasing materials for the following projects, District staff may be able to expedite replacement of frequently repaired waterlines, and therefore minimize the number of leaks within newly resurfaced streets. District staff requests funding for purchase of materials for the following projects:

- 11th Street Pipeline Replacement Project (P-2750-0056)
- Michigan Avenue Pipeline Replacement Project (P-2750-0092)
- 5th Street Pipeline Replacement Project (Potable – Not Identified in CIP)





A brief summary of each project is included below. A summary of the estimated material costs for each project is included in Table 1 herein.

#### 11th Street Pipeline Replacement Project (P-2750-0056)

Work for the 11th Street Pipeline Replacement Project (11th Street Project), which is identified as P-2750-0056 in the District's 2022-2026 Capital Improvement Budget (CIB), includes the replacement of approximately 2,000 linear feet (LF) of an existing 4" steel waterline with 8" ductile iron pipe (DIP) within 11th Street from approximately 200 feet west of Beaumont Avenue, west to Elm Avenue in the City of Beaumont. See Attachment 1.

District field staff identifies that the existing waterline in 11th Street frequently leaks and maintenance repair activities have increased substantially since the City repaved the road in early 2020. A portion of the existing waterline was replaced west of Beaumont Avenue in 2019 to avoid the City's repaving efforts associated with Beaumont Avenue.

District staff brought forth the remaining component of 11th Street Project at the Board Meeting on February 24, 2022 as a discussion item. At that time, District staff provided the Board with a cost estimate based on a preliminary planning layout for the proposed pipeline replacement. This estimate included estimated costs for design (along with geotechnical, survey, and environmental services), construction, and administrative services. Staff has since revisited said cost estimate and has provided an estimate for material costs only as part of this staff report.

#### Michigan Avenue Pipeline Replacement Project (P-2750-0092)

Work for the Michigan Avenue Pipeline Replacement Project (Michigan Avenue Project), which is identified as P-2750-0092 in the District's 2022-2026 CIB, includes the replacement of approximately 530 LF of 6" steel waterline with 8" DIP in Michigan Avenue from 5th Street to 6th Street in the City of Beaumont. This project has not been previously presented to the Board for discussion.

Michigan Avenue has been identified to be resurfaced in the City's pavement project for 2021/2022, therefore District staff recommends moving forward with the Michigan Avenue Project in order to remain ahead of City's pavement replacement activities and avoid the pavement cut moratorium.

#### 5th Street Pipeline Replacement Projects (Potable – Not Identified in CIP)

Work for the 5th Street Pipeline Replacement Project (5th Street Project) includes the replacement of approximately 3,900 LF of 10" steel waterline (domestic) with 12" DIP from Michigan Avenue west to California Avenue. The City identified 5th Street also to be resurfaced in the City's preliminary street selection for the pavement project.

Staff identifies that there is no pipeline replacement project currently identified in the 2016 Potable Water Master Plan (Master Plan) along 5th Street within the limits described above. However, District field staff has advised that the existing potable waterline in 5th Street has experienced frequent leaks and maintenance activities. District staff proposes that funds be used from the Capital Replacement Reserves for the procurement of materials and completion of the 5th Street Project.



**Fiscal Impact**

District staff has analyzed the District’s 2022-2026 Capital Improvement Budget to determine the available funds for materials for each project, and has prepared a preliminary cost analysis based on typical current material costs.

The total estimated material costs for each pipeline replacement project, as well as estimated budget, is included in Table 1 below.

**Table 1 – Pipeline Replacement Project Material Costs and Estimated Available Budget**

Project	Estimated Material Cost (1)	2022 Board Approved Budget (2022-2026 CIB)	Total Approved Project Budget (2022-2026 CIB)	Estimated Budget Remaining	Funding Source
P-2750-0056	\$ 283,100.00	\$ 275,500.00	\$ 1,421,300.00	\$ 1,138,200.00	Capital Replacement
P-2750-0092	\$ 40,800.00	\$ 67,200.00	\$ 378,600.00	\$ 337,800.00	Capital Replacement
5th Street - California Ave to Michigan Ave	\$ 517,325.00	\$ 0.00	\$ 0.00		Capital Replacement
<b>Total Appropriation Requested</b>	<b>\$ 841,225.00</b>				

\*(1) Includes 20% Contingency

District staff requests the Board consider the approval of expenditures in an amount not to exceed **\$841,225.00** for the procurement of materials for the projects as described above. Due to extended lead times, and in an effort to remain ahead of the City’s Pavement Project, District staff believes purchasing materials as soon as practicable will be beneficial to the District.

District staff has prepared preliminary engineering cost estimates based on planning-level waterline alignments and exhibits. District staff may utilize said exhibits to create improvement plans, or should the Board decide to solicit for engineering consulting services, District staff will work with the selected consultant to move the above projects forward, should that option be exercised.

Included in the material estimates in Table 1 is a 20 percent contingency (for each respective project). District staff understands that materials prices continue to increase, and pipe manufacturers have recently incorporated additional surcharges for fabricating and handling materials. This is due in part to material shortages which are being experienced globally.



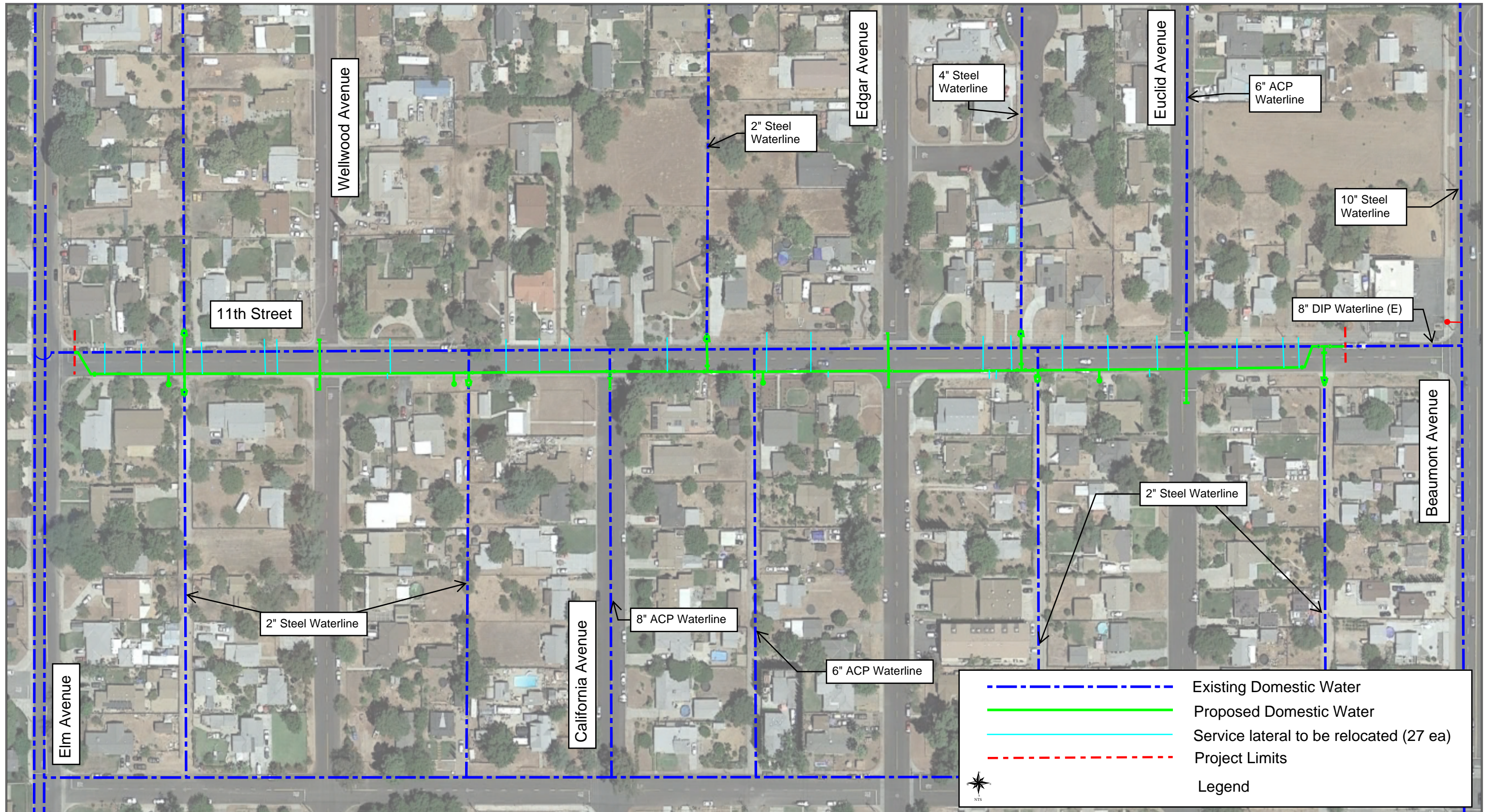
The fiscal impact to the District for the procurement of materials for P-2750-0056, P-2750-0092, and the 5th Street Pipeline Replacement Project will be an amount not to exceed **\$841,225.00 (rounded)**. Both P-2750-0056 and the 5th Street Pipeline Replacement Project are proposed to be funded through capital replacement reserves. P-2750-0092 is proposed to be funded through capacity charges (facilities fees) (capital expansion).

**Attachments:**

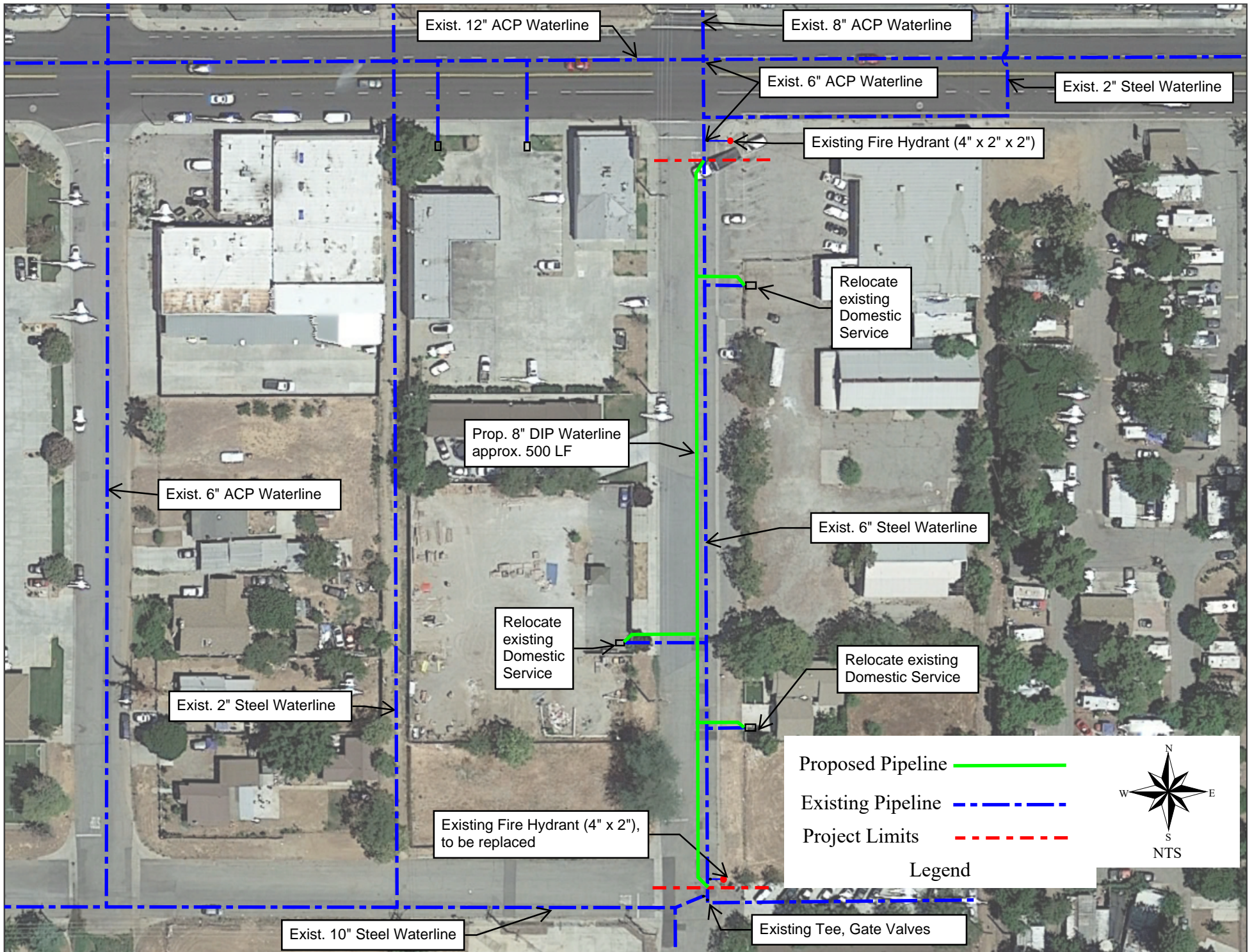
- 1 – 11th Street Pipeline Replacement Project (P-2750-0056) Project Location Map
- 2 – Michigan Avenue Pipeline Replacement Project (P-2750-0092) Project Location Map
- 3 – 5th Street Pipeline Replacement Project Location Map

Staff Report prepared by Daniel Baguyo, Civil Engineering Assistant

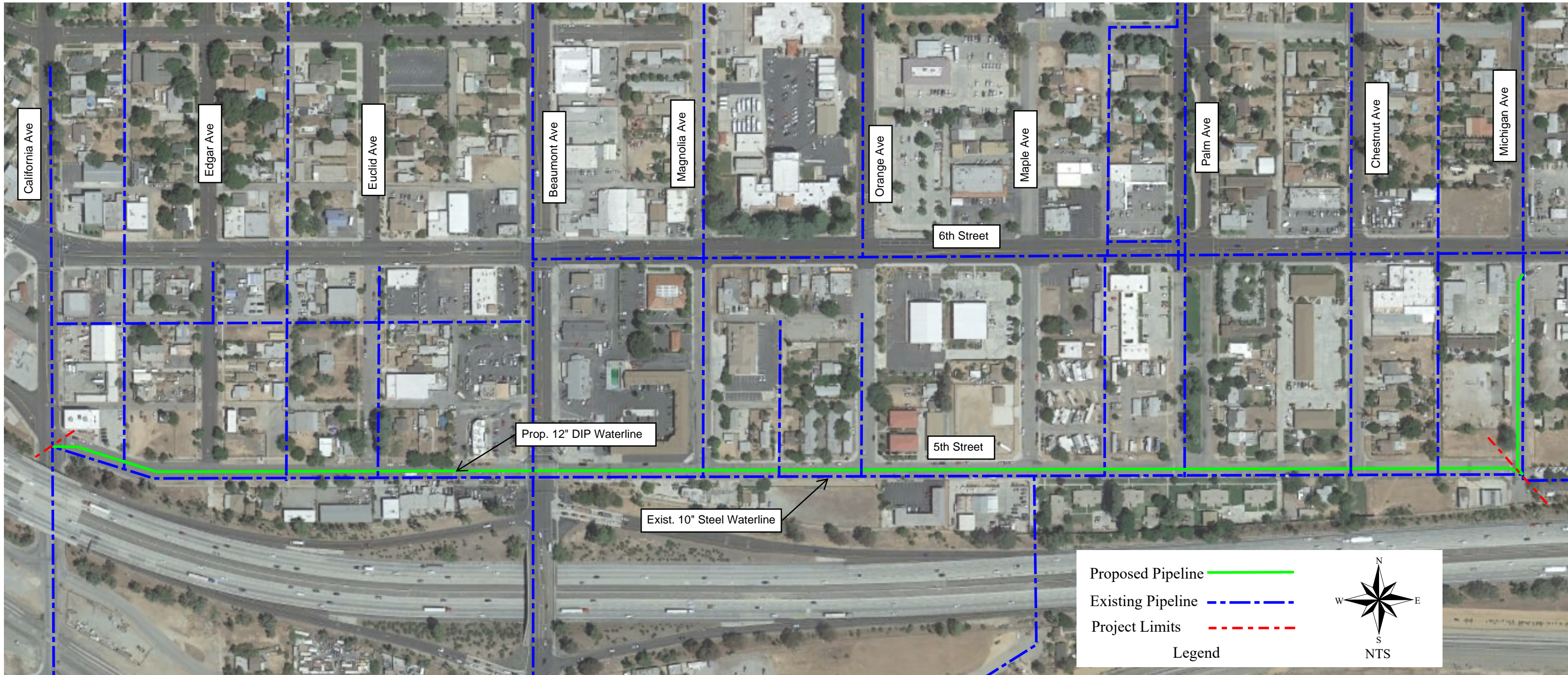
Attachment 1 - 11th Street Pipeline Replacement Project (P-2750-0056)  
 Location Map



Attachment 2 - Michigan Avenue Pipeline Replacement Project (P-2750-0092) Location Map



# Attachment 3 - 5th Street Pipeline Replacement Project Location Map





**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
May 11, 2022**

Item 7

STAFF REPORT

**TO:** Board of Directors

**FROM:** Dan Jagers, General Manager

**SUBJECT: Consideration of Attendance at Upcoming Events and Authorization of Reimbursement and Per Diem**

---

**Staff Recommendation**

Evaluate director attendance at upcoming events for possible pre-approval or approval after attendance for compensation and / or expense reimbursement pursuant to Policies 4060 and 4065 and vote to pre-approve any selected activities.

**SAMPLE MOTION:**

*I move that the Board pre-approve the attendance of all directors at these events for purposes of per diem and reimbursement of associated reasonable and necessary expenses per District policy: \_\_\_\_ (list events)*

**Background**

Event attendance is governed by BCVWD Policies and Procedures Manual Part II Policy 4060 Training, Education and Conferences, and Part II Policy 4065 Remuneration / Director Per Diem Fees. Per Government Code 53232.3(d), Directors will either prepare a written report for distribution to the Board or make a verbal report during the next regular meeting of the Board. Directors desiring to attend events not specifically enumerated and preauthorized by BCVWD policy should obtain pre-approval via vote of the Board in order to receive a per diem and/or expense reimbursement.

**Upcoming Events**

*For registration of attendance at any event, Board members should contact the Administrative Assistant.*

Activities and events that are, may already be, or can be voted as pre-approved for per diem and/or expense reimbursement for attendance:

**1 - NEW EVENTS**

DATE / TIME	EVENT	DIRECTOR INTEREST	
June 2-5	<b>102<sup>nd</sup> Annual Cherry Festival</b> <b>Stewart Park – 985 Orange Avenue, Beaumont</b> \$ Fees are Times Vary by Date June 2-5, 2022 Thursday through Sunday For more than 100 years, the Cherry Festival has been the biggest community event in Beaumont. Virtually the entire community participates in the four-day celebration, which features games, rides booths, music, entertainment, and the best food.	COVINGTON	HOFFMAN
<b>APPROVAL</b>		RAMIREZ	SLAWSON
<b>REQUIRES VOTE</b>		WILLIAMS	

DATE / TIME	EVENT	DIRECTOR INTEREST	
Thursday June 23 4:00 - 9:00 pm	<b>NOTE : This event conflicts with the Engineering Workshop</b> <b>Western Riverside Council of Governments General Assembly and Leadership Conference</b> (see attachment) Pechanga Resort and Casino (Temecula, 44 miles) \$ Unknown Speaker Steve Wozniack, Co-Founder Apple Computer WRCOG has hosted this conference for 31 years to bring the region's elected officials, business owners, and community leaders together to network and vision cast for the upcoming year.	COVINGTON	HOFFMAN
<b>APPROVAL</b>		RAMIREZ	SLAWSON
<b>REQUIRES VOTE</b>		WILLIAMS	

DATE / TIME	EVENT	DIRECTOR INTEREST	
Fri. Aug. 12 8:00 am – 1:00 pm	<b>Building Industry Association 16<sup>th</sup> Annual Southern California Water Conference</b> <b>Double Tree Hotel – 222 N Vineyard Ave Ontario, Ca</b> \$99.00 Planning for Resiliency Adle Hagekhalil General Manager of Metropolitan Water District of Southern California Topics include resilience in the delta, water conserving, building for drought and every drop counts. The goal is to increase of the issues water agencies faces and showcases how they are responding.	COVINGTON	HOFFMAN
<b>APPROVAL</b>		RAMIREZ	SLAWSON
<b>REQUIRES VOTE</b>		WILLIAMS	

DATE / TIME	EVENT	DIRECTOR INTEREST	
August 22-25	<b>NOTE : This event conflicts with the Engineering Workshop</b> <b>CSDA 2022 Annual Conference &amp; Exhibitor Showcase</b> <b>Palm Desert</b> \$650 Early Bird Registration August 22-25, 2022 Monday through Thursday Come together with our Special District leaders from across the state to meet with industry suppliers, hear the best in Special District topics with over 30 breakout session options, network with your peers, and more at the leadership conference for Special Districts.	COVINGTON	HOFFMAN
<b>APPROVAL</b>		RAMIREZ	SLAWSON
<b>REQUIRES VOTE</b>		WILLIAMS	



DATE / TIME	EVENT	DIRECTOR INTEREST	
August 24-26	<b>NOTE : This event conflicts with the Engineering Workshop Urban Water Institute's 29 Annual Water Conference San Diego</b>	COVINGTON	HOFFMAN
<b>APPROVAL</b>	\$525 Early Bird Registration	RAMIREZ	SLAWSON
<b>REQUIRES VOTE</b>	August 24-26, 2022 Wednesday through Friday The Urban Water Institute will host its Annual Water Conference, being held at San Diego Mission Bay Resort on August 24-26, 2022. No further details are available at the moment.	WILLIAMS	

## 2 - ON CALENDAR

DATE / TIME	EVENT	DIRECTOR INTEREST	
May 10-12 10:00 am - 12:00 pm	<b>CSDA Virtual Workshop: Overview of Special District Laws</b> \$175 Tuesday, Wednesday, Thursday May 10-12, 2022 10:00 am to 12:00 pm each day	COVINGTON	HOFFMAN
<b>APPROVAL</b>	Day One: Board Governance-Brown Act, Ethics Day Two: Elections, Vacancies, and the California Voting Right Act	RAMIREZ	SLAWSON
Preapproved (Table A, 8)	Day Three: Transparency, California Public Records Act, and Audits.	<b>WILLIAMS MAYBE</b>	

DATE / TIME	EVENT	DIRECTOR INTEREST	
Fri May 13 7:30 - 9:00 am	<b>Beaumont Chamber of Commerce Breakfast</b> More info about the speaker will be posted on the Chamber's Website in the near future. Sand Trap – 892 W. Oak Valley Parkway	<b>COVINGTON YES</b>	HOFFMAN
<b>APPROVAL</b>	\$22 per person Reservation deadline: May 5, 2022	RAMIREZ	<b>SLAWSON MAYBE</b>
Preapproved (Table A, 5)	Please advise the Administrative Assistant 8 days in advance if you would like to attend. The Breakfasts are the second Friday of each month. Speakers vary, but information is not generally available in a timely manner	WILLIAMS	

DATE / TIME	EVENT	DIRECTOR INTEREST	
May 18-20 7:30 am – 6:30 pm	<b>Bay-Delta Water Tour 2022</b> \$ Early Bird ends 4/8 \$929.00 General - \$979.00 Water Education Foundation is hosting a tour into California's water hub and traverses the Sacramento-San Joaquin Delta, a 720,000-acre network of islands and canals that supports the state's water system and is California's most crucial water and ecological resource. Issues to be discussed include Delta planning initiatives, the proposed tunnel project, water project operations, fish passage, ecosystem restoration, levees and flood management.	<b>COVINGTON YES</b>	HOFFMAN NO
<b>APPROVAL</b>		RAMIREZ NO	<b>SLAWSON YES</b>
Preapproved (Table A, 18)		<b>WILLIAMS YES</b>	

### **Fiscal Impact:**

The fiscal impact will depend on the number of directors attending an event and the event costs.

## **FOR IMMEDIATE RELEASE**

### **Media Contact:**

Elisa Laurel  
Public Information Officer  
(951) 405-6752  
[elaurel@wrcog.us](mailto:elaurel@wrcog.us)



## **Steve Wozniak, Co-Founder of Apple Computer, Inc., Announced as WRCOG's 31st Annual General Assembly Speaker *Regional leadership committed to continue bringing innovation Inland***

**Riverside, CA - March 10** - In early 2022, Western Riverside Council of Government's (WRCOG) regional leadership representatives came together to develop a Strategic Plan for the Agency, intended to drive the Agency's mission and vision for moving the region forward. This strategic vision is further propelled by the Agency's core values, one of which serves as this year's 31st Annual General Assembly theme, Innovation.

"Western Riverside County, located in southern California, is a prime example of the bold innovation that is taking place Inland. It's also with great enthusiasm that I announce that, in line with the innovation and transformation taking place, none other than Steve Wozniak, Co-Founder of Apple Computer, Inc., will be headlining WRCOG's 31st Annual General Assembly on June 23, 2022, at Pechanga Resort Casino," shares WRCOG Chair and Riverside County 2nd District Supervisor, Karen Spiegel.

"Mr. Wozniak's passion for pushing the boundaries and innovative approach to thinking differently is similar to how we'd like to think of our region's efforts in positioning for the opportunities ahead of us," explains WRCOG's Vice-Chair and Mayor for the City of San Jacinto, Crystal Ruiz. Riverside County was recently ranked as the number one fastest-growing County in California, outpacing Los Angeles, Orange, and San Diego Counties, with a population slated to grow faster than the State average. Recent data from the U.S. Census Bureau also indicates Riverside County has the fourth largest population of all California counties, which makes it larger than 15 states. Strong business growth continues to be a major driver for Riverside County all-together, recently tying for third fastest-growing County in business growth in California, with business establishments growing by a healthy 17%. "Much of the Agency's efforts, along with local and regional stakeholders, are geared towards continuing to prepare for the tremendous growth ahead. In addition, the Agency's new Strategic Plan will continue to serve as our North Star for our activities as we continue to push forward," states WRCOG Executive Director, Dr. Kurt Wilson.

"As we think of innovation, Inland southern California is really the next frontier, and Western Riverside County is well positioned for the growth and immense opportunities ahead," states WRCOG 2nd Vice-Chair and Mayor for the City of Jurupa Valley, Chris Barajas.

###

### **About WRCOG**

WRCOG is a joint powers authority, consisting of the County of Riverside, 18 cities, two regional water districts and the Riverside County Superintendent of Schools. Its actions and activities are guided by its members. Recognizing that issues related to growth are not constrained by city or county boundaries, WRCOG focuses on a number of regional matters important to the future of Western Riverside County. By working together through its committee structure and utilizing existing resources, WRCOG is cost-effective by reducing duplication of effort and sharing information, enabling strong advocacy, and strengthening Western Riverside County's standing in southern California and the state. WRCOG's program areas are varied and range from transportation to air quality, solid waste, environment, energy, resiliency, sustainability, and growth. For more information about WRCOG please visit <http://www.wrcog.us/>.



**Beaumont-Cherry Valley Water District  
Regular Board Meeting  
May 11, 2022**

Item 8

STAFF REPORT

**TO:** Board of Directors  
**FROM:** Dan Jagers, General Manager  
**SUBJECT:** Continued Review of California Drought Conditions, District Urban Water Management Plan and Water Shortage Contingency Plan, BCVWD Resolution 2022-12 Implementing Water Use Restrictions, and Other Drought Response

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**Staff Recommendation**

None. Direct staff as desired.

**Summary**

At its meeting of April 28, 2022, the Board of Directors adopted Resolution 2022-12, implementing water use restrictions as outlined in the Water Shortage Contingency Plan and as mandated by the State Water Resources Control Board.

Per direction of the Board, staff has refocused on public outreach and drought communications. With the guidance of the Communications Committee, staff will task CV Strategies with production of communications materials and assistance with other methods of outreach.

**News:**

**California's new drought rules: will they be enough to halt the 'alarming challenges' ahead?**

*As dry conditions prevail, the state is restricting outdoor watering while exploring other avenues of water*

The Guardian 5/3/2022

<https://www.theguardian.com/us-news/2022/may/03/californias-new-drought-rules-will-they-be-enough-to-halt-the-alarming-challenges-ahead>

**California declares unprecedented water restrictions amid drought**

*Residents have been warned to scale down their water usage this summer, as critical shortages loom*

Al Jazeera 5/5/2022

<https://www.aljazeera.com/news/2022/5/5/california-declares-unprecedented-water-restrictions-amid-drought>

**Consequences of severe drought and climate change ripple across California**

NBC News 4/18/2022

<https://www.nbcnews.com/nightly-news/video/consequences-of-severe-drought-and-climate-change-ripple-across-california-138874949524>



**Officials worry Southern California won't have enough water to get through summer without unprecedented cuts**

CNN 5/4/2022

<https://edition.cnn.com/2022/05/04/us/california-drought-water-restrictions-climate/index.html>

**Drought expands in the Southwest, worsening the region's fire risk and water crisis**

CNN 5/5/2022

<https://edition.cnn.com/2022/05/05/us/california-west-drought-update-wildfires-climate/index.html>

**California's grim drought situation is visible from the International Space Station**

KTLA News 5 5/2/2022

<https://ktla.com/news/california/californias-grim-drought-situation-is-visible-from-the-international-space-station/>

**State Water Agencies Executive Discusses Latest on California Drought**

NBC Bay Area News 5 5/4/2022

<https://www.nbcbayarea.com/news/local/watch-state-water-agencies-executive-discusses-latest-on-california-drought/2881462/>

**Drought Surcharges**

**California Drought: Utility Set To Impose Steep Penalty For Residential Water Overuse**

KPIX 5 CBS SF Bay Area 10/21/2021

<https://sanfrancisco.cbslocal.com/2021/10/15/san-jose-set-to-impose-steep-penalty-for-residential-water-overuse/>

**Resources**

Pacific Institute – California Drought Conditions and Impacts

<https://www.californiadrought.org/>

California Water Watch

<https://cww.water.ca.gov/>

Save Our Water

[https://saveourwater.com/en/?qclid=EAlaIqobChMIkevpnuvy9qIVShmtBh3bvwaLEAAYASAAEgJo9vD\\_BwE](https://saveourwater.com/en/?qclid=EAlaIqobChMIkevpnuvy9qIVShmtBh3bvwaLEAAYASAAEgJo9vD_BwE)

California Drought Monitor

<https://www.drought.gov/states/california>

California Drought Action

<https://drought.ca.gov/>



CalMatters Water and Drought Tracker  
<https://calmatters.org/california-drought-monitor/>

USDA Natural Resources Conservation Service  
Snow maps, etc.  
<https://www.nrcs.usda.gov/wps/portal/nrcs/site/ca/home/>

NOAA / National Integrated Drought Information System  
Snow Drought: Data and maps  
<https://www.drought.gov/topics/snow-drought>

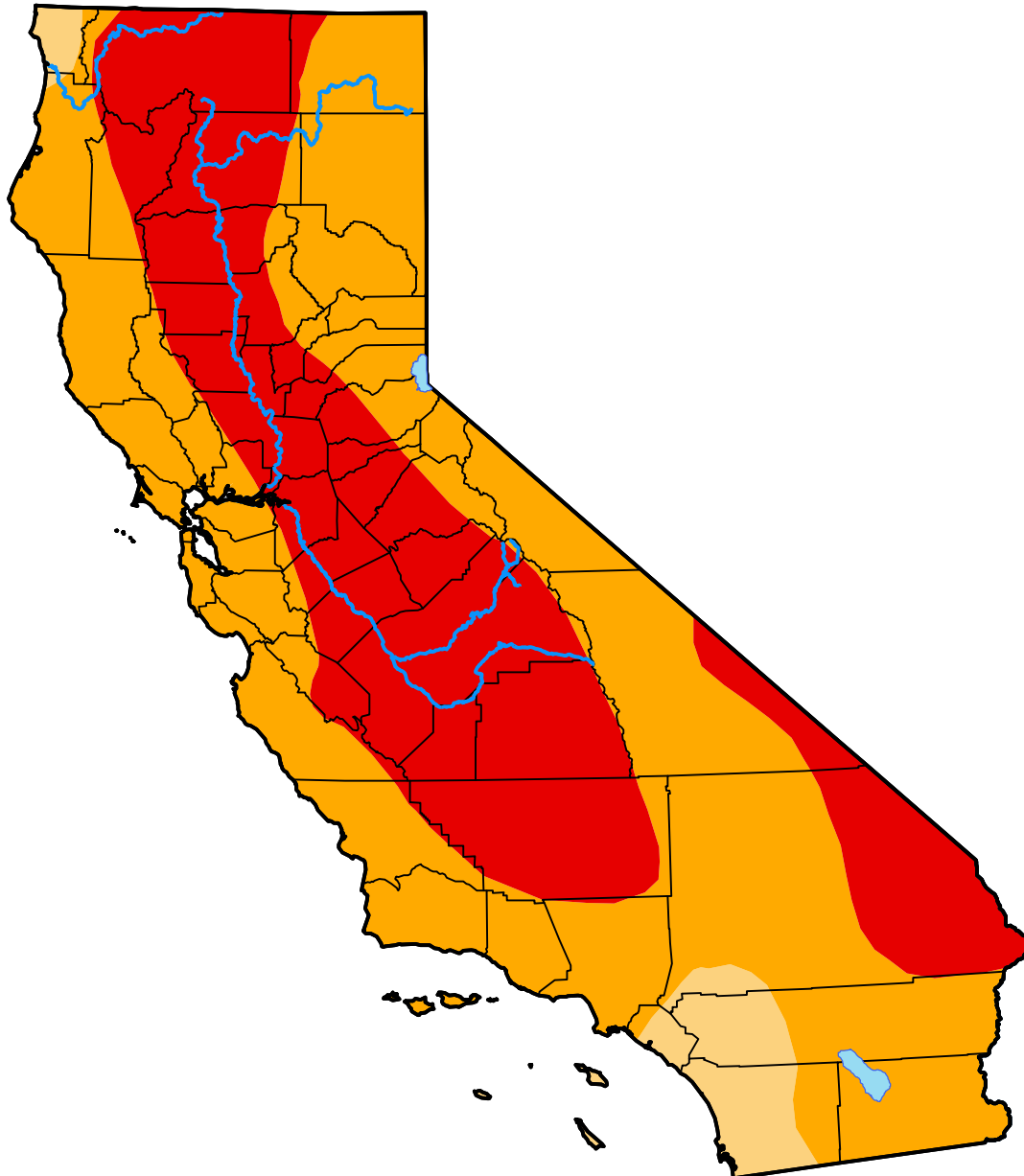
### **Attachments**

1. Current Reservoir Conditions – May 4, 2022
2. California Drought Monitor Map – May 3, 2022



# U.S. Drought Monitor California

**May 3, 2022**  
(Released Thursday, May. 5, 2022)  
Valid 8 a.m. EDT



*Drought Conditions (Percent Area)*

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
<b>Current</b>	0.00	100.00	100.00	95.18	40.51	0.00
<b>Last Week</b> <i>04-26-2022</i>	0.00	100.00	100.00	95.18	40.56	0.00
<b>3 Months Ago</b> <i>02-01-2022</i>	0.00	100.00	99.25	66.39	1.39	0.00
<b>Start of Calendar Year</b> <i>01-04-2022</i>	0.00	100.00	99.30	67.62	16.60	0.84
<b>Start of Water Year</b> <i>09-28-2021</i>	0.00	100.00	100.00	93.93	87.88	45.66
<b>One Year Ago</b> <i>05-04-2021</i>	0.00	100.00	97.52	92.88	73.31	5.36

***Intensity:***

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

*The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>*

***Author:***

David Simeral  
Western Regional Climate Center



**droughtmonitor.unl.edu**



# CURRENT RESERVOIR CONDITIONS

## CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - May 4, 2022

### CURRENT CONDITIONS

